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SENATE RECORD VOTES

of

SENATOR ________________________

100th CONGRESS—1st SESSION

FROM JANUARY 26, 1987

TO DECEMBER 22, 1987

Prepared and compiled by the
Senate Democratic Policy Committee
Robert C. Byrd, Chairman

S940-5

EXPLANATION OF VOTING SYMBOLS used to indicate how the Senator voted on an amendment, motion, bill, or conference report:

Y—Yea

N—Nay

A—Absent, No Position Recorded

AY—Announced Yea

AN—Announced Nay

PY—Paired Yea

PN—Paired Nay

*—Live Pair Given

**—Live Pair Received

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	FTC AUTHORIZATION, 1988–90 (S. 677)	
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67	Metzenbaum-Rockefeller-Simon modified amendment: Requires FTC to report to Congress comprehensive study of: (1) unfair or misleading practices in sale of health insurance to elderly (MediGap); and (2) increase in property and casualty insurance rates to small businesses, local governments, physicians, dentists, and child care centers, and, if necessary, rate increases for self-insurers. (80–18)	4-8
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69	Passage. (88–9)	4-8
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70	Byrd substitute amendment (for Humphrey, et al., amendment which rolls back salary of Members of Congress and top Federal officials, excluding Federal judges, to amount prior to March 1 increase): Directs Secretary of Senate to develop form to assist any Senator who chooses to forego all or part of pay raise which went into effect on March 1. (30–70)	4-8
71	Byrd substitute amendment (for Gramm, et al., amendment): Requires appropriations pursuant to this authorization be made only in accordance with Gramm-Rudman-Hollings, thereby prohibiting appropriations which would increase deficit for FY 1987. (100–0)	4-9
72	Wallop, et al., amendment: States sense of Senate that Secretary of State should not meet with Soviet Foreign Minister in Moscow unless thorough examination of security situation in Moscow finds facilities to be secure. (70–30)	4-9
73	Byrd, et al., cloture motion on Byrd-Dole substitute amendment: Authorizes funds for homeless, including funds for emergency food and shelter, health care and mental health services, and job training. (68–29)	4-9
74	Byrd-Dole substitute amendment, as amended: Authorizes funds for homeless including emergency food and shelter, health care and mental health services, and job training. (85–12)	4-9
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77	Gramm amendment: Provides that appropriations made pursuant to this authorization shall not cause deficit to exceed levels established by Gramm-Rudman-Hollings. (96–0)	4-22
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79	Boschwitz motion to waive Budget Act (which prohibits consideration of amendment that provides new budget authority for fiscal year until budget resolution for that fiscal year has been adopted) in order to allow consideration of Boschwitz, et al., amendment: Establishes marketing loan programs for soybeans at $5.02 per bushel and sunflowers at no less than 8-1/2 cents per pound; precludes Secretary from reducing 1987 soybean price support level by more than five percent; and offsets any resulting additional outlays by selling rural development insurance fund loans. (33–63)	4-23
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83	Chiles motion to table Domenici appeal of Chair ruling that Chiles perfecting amendment (to Chiles substitute amendment) containing dual accounting estimates, is in order. (50-46)	4-28
84	Chiles perfecting amendment (to Chiles substitute amendment): Contains dual accounting estimates for Chiles budget plan. (50-49)	4-29
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87	Chiles perfecting substitute amendment (Chiles II) (for Chiles amendment): Increases defense spending to provide for zero real growth, upon President's signature of reconciliation bill which will make domestic cuts of $12.4 billion and provide for domestic initiatives of $3.8 billion, increase revenues by $18.3 billion to pay for defense and reduce deficit, allow REA loan prepayments of $7.2 billion and IRS initiative of $1.8 billion; resulting in OMB-estimated FY 1988 deficit of $107.8 billion, CBO-estimated deficit of $133.6 billion, and balanced budget by 1991. (57-42)	5-6
88	Dole-Byrd-Bentsen, et al., amendment (to Chiles amendment, as amended—Vote No. 87): Expresses sense of Senate that revenue levels will not be achieved by either raising or delaying individual or corporate income tax rates. (90-10)	5-6
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92	Chiles motion to table Roth-Domenici-Quayle perfecting amendment (to Chiles amendment, as amended—Vote No. 87): States sense of Congress that biennial budget and appropriations process should be enacted this year. (53-45)	5-6
93	Chiles motion to table Chafee-Durenberger-Heinz perfecting amendment (to Chiles amendment, as amended—Vote No. 87): Restores $1 billion in Medicare cuts and adds $1 billion in Medicaid funding for FY 1988. (69-29)	5-6
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125	Melcher amendment: Requires Secretary of Labor to develop, and submit to Congress, Consumer Price Index which reflects impact of inflation on older Americans. (95–0)	5–27
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128	Dixon motion to waive Budget Act to allow consideration of Dixon, et al., amendment: Provides $100 million for summer youth employment offset by decrease for World Bank. (33–62)	5–27
129	Melcher, et al., modified amendment: Imposes moratorium on issuance of all oil shale patents (except for 10 pending patents) unless Congress directs otherwise. (94–1)	5–27
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131	Grassley motion to waive Budget Act to allow consideration of Dole–Grassley, et al., amendment: Accelerates deficiency payments for 1986 corn crop by making $2.77 billion available now rather than on October 1, 1988. (33–60)	5–28
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133	Dixon, et al., amendment: States sense of Senate that no funds provided under this Act may be used for severance pay to any World Bank employee. (90–3)	5–28
134	Johnston motion to table Symms, et al., amendment: Strikes all provisions of bill except $6.7 billion for Commodity Credit Corporation. (61–30)	5–28
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138	Melcher motion to waive Budget Act to allow consideration of Melcher amendment: Transfers $1.4 million of unobligated FY 1985 and 1986 funds from another Older Americans Act program to Meals on Wheels program. (66-16)	5-29
139	Melcher amendment: Transfers $1.4 million of unobligated FY 1985 and 1986 funds from another Older Americans Act program to Meals on Wheels program. (70-5)	5-29
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144	Johnston motion to table Gramm amendment: Deletes $85 million for operations and maintenance for defense, $51 million for economic aid for Southern Africa, $23 million for Fish and Wildlife Management, $20 million for training and employment services, $30.6 million for agricultural research grants, $11 million for Forest Service, $2.1 million for Bureau of Land Management, $3.1 million for Bureau of Indian Affairs, and $7.2 million for Peace Corps. (61-33)	6-2
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	FIRST BUDGET RESOLUTION, FY 1988 (H. Con. Res. 93, Action Completed)	
155	Chiles motion to table D'Amato motion to refer conference report to Finance Committee. (56-43)	6-24
156	Chair ruling against Domenici point of order that conferees exceeded their authority by including reconciliation instruction to Finance Committee to report debt limit bill. (54-45)	6-24
157	Adoption of conference report. (53-46)	6-24

Vote No.		*Date 1987*
	TRADE AND COMPETITIVENESS ACT (H.R. 3)	
158	Bentsen motion to table Specter, et al., amendment: Provides for private right of action to allow injured American parties to sue in Federal court for damages from foreign manufacturers and exporters who receive subsidies or "dump" goods in U.S. and makes importers of subsidized or "dumped" exports also liable. (69-27)	6-25
	DRUG ABUSE AND ILLICIT TRAFFICKING—U.N. CONFERENCE (S. Res. 238)	
159	Adoption. (94-0)	6-26
	TRADE AND COMPETITIVENESS ACT (H.R. 3)	
160	Bentsen-Pell motion to table Armstrong amendment—Vote No. 161. (44-49)	6-26
161	Armstrong amendment: Suspends Romania's most-favored-nation trading status for six months. (57-36)	6-26
	PANAMA—HUMAN RIGHTS (S. Res. 239)	
162	Cranston motion to table Dodd, et al., amendment (as substitute for resolution): Deletes sense of Senate provision specifically directing current commander of Panama Defense Force and any other implicated officials to relinquish their duties pending outcome of independent investigation. (73-13)	6-26
163	Adoption. (84-2)	6-26
	TRADE AND COMPETITIVENESS ACT (H.R. 3)	
164	Humphrey-Proxmire modified amendment: Authorizes President to prohibit trade between U.S. and USSR-sponsored Afghan regime. (83-0)	6-26
	KOREAN RESOLUTION (S. Res. 241)	
165	Adoption. (74-0)	6-27
	TRADE AND COMPETITIVENESS ACT (H.R. 3)	
166	Reid amendment: Requires National Critical Materials Council to prepare national Federal program plan for advanced materials research and development. (73-0)	6-27
	HOMELESS ASSISTANCE (H.R. 558, P.L. 100-77)	
167	Adoption of conference report. (65-8)	6-27
	TRADE AND COMPETITIVENESS ACT (H.R. 3)	
168	Division I of Gramm, et al., amendment, as amended: Requires that Congress complete action on Constitutional amendment to require balanced Federal budget no later than October 1, 1987, and requires President to submit balanced budget by September 15, 1987. (59-11)	6-27
169	Exon-Melcher, et al., amendment: Requires FDA to issue regulations for labeling of food products which are imported or which contain significant amount of imported ingredients. (73-19)	6-30
170	McConnell, et al., amendment: Requires that annual appropriations to reimburse Commodity Credit Corporation for net realized losses be made by means of current indefinite appropriations. (80-15)	6-30
171	Shelby motion to table Garn-Heinz-Proxmire, et al., amendment (to Shelby amendment)—Vote No. 172. (19-78)	6-30
172	Garn-Heinz-Proxmire, et al., amendment (to Shelby amendment): Requires President to impose sanctions on importation of products of Toshiba Corporation and Kongsberg Vaapenfabrik for not less than two years. (92-5)	6-30
173	Melcher-Exon, et al., amendment: States sense of Congress that GATT negotiations process should be used to achieve significant reduction in high tariffs imposed on wheat gluten by other countries. (94-0)	6-30
174	Wilson, et al., amendment: States sense of Congress that Japan should lower high tariffs and remove quotas on competitive agricultural U.S. exports. (94-0)	7-1
175	Bradley-Packwood, et al., amendment: Strikes oil import section. (55-41)	7-1

Vote No.		*Date 1987*
	SUPPLEMENTAL APPROPRIATIONS, 1987 (H.R. 1827, P.L. 100-71)	
176	Stennis motion to table Melcher amendment (as substitute for House amendment to Senate amendment): Requires Secretary of Labor to develop consumer price index which reflects impact of inflation on older Americans. (50-42)	7-1
	TRADE AND COMPETITIVENESS ACT (H.R. 3)	
177	Pell motion to table Nickles, et al., amendment: Instructs U.S. representatives to multilateral development banks to withhold funds for subsidization of foreign competition in minerals or agricultural products that are surplus in world market, effective October 2, 1987. (34-58)	7-7
178	Packwood-Evans-Roth amendment: Restores Pre[illegible]s discretionary Section 201 authority to weigh general public good and Nation's economic interest in deciding whether to grant relief to industries injured by fair import competition. (41-55)	7-7
179	Domenici, et al., amendment: Gives President discretionary Section 301 authority to retaliate against foreign subsidization of excess capacity to produce nonagricultural, fungible goods such as copper, aluminum, and other minerals. (71-28)	7-8
180	Quayle-Boren amendment: Strikes plant closing provisions which require employers of 100 full-time workers to give 60 days notice of plant closings and mass layoffs. (40-60)	7-9
181	Sasser, et al., cloture motion on Moynihan, et al., amendment: Expresses sense of Congress that U.S. should seek settlement of Iran-Iraq war through diplomatic means and proposed reflagging of Kuwaiti tankers should be delayed pending outcome of initiatives. (57-42)	7-9
182	Stevens motion to table DeConcini-Dole-Chiles, et al., amendment: Prohibits importation of products from Angola and exportation of U.S. goods to Angola except for disaster relief and certain U.S. petroleum extraction products or upon Presidential certification that all Cuban and Soviet troops have been withdrawn from Angola and Angola has made certain democratic changes to its government. (61-38)	7-9
183	Bumpers motion to table Bumpers-Hatfield-Adams amendment: Postpones reflagging of any Kuwaiti naval vessels for 89 days following enactment of this legislation. (42-56)	7-9
184	Byrd motion: Sergeant at Arms to request attendance. (74-15)	7-9
185	Armstrong, et al., amendment: Caps at $400 million per year amount which may be spent on Trade Adjustment Assistance. (39-59)	7-9
186	Ford motion to table Chafee, et al., amendment: Strikes provision that makes tobacco eligible for export promotion programs with any resulting losses to be borne by CCC. (51-43)	7-10
187	Danforth perfecting amendment (to Byrd-Dole, et al., amendment): Requires U.S. Trade Representative to: (1) identify foreign countries that maintain consistent pattern of import barriers and trade distorting practices, (2) evaluate their effect on U.S. exports and estimate value in lost trade to U.S. during preceding year; and (3) negotiate agreements with each foreign country either to eliminate trade barriers or to provide alternative export opportunities and, if no agreement is reached, requires countermeasures against those countries under Section 301; and allows Senate Finance and House Ways and Means Committees to file Section 301 petition with USTR for investigation of suspect foreign country. (87-7)	7-10
188	Byrd motion: Sergeant at Arms to request attendance. (84-10)	7-14
189	Exon, et al., second cloture motion on Moynihan, et al., amendment: Expresses sense of Congress that U.S. should seek settlement of Iran-Iraq war through diplomatic means and proposed reflagging of Kuwaiti tankers should be postponed pending outcome of initiatives. (53-40)	7-14

Vote No.		*Date 1987*
190	Hollings motion to table Glenn perfecting amendment (to language to be struck by Hollings, et al., amendment): Strikes trade reorganization section and reduces funding for Advanced Civilian Technology Agency. (73-21)	7-14
191	Helms motion to table Baucus, et al., amendment: Requires President to maintain list of agricultural commodities and products that may be exported to Cuba. (71-25)	7-14
192	Metzenbaum motion to table Gramm-Boren motion to recommit bill to Committee with instructions to report back forthwith with all amendments agreed to, all pending amendments in status quo, and provision to repeal windfall profits tax. (36-57)	7-14
193	Gramm motion to table Cranston amendment (to Bradley amendment to Gramm-Boren motion to recommit bill): Increases cigarette excise tax to 34 cents per pack. (74-20)	7-14
194	Gramm motion to table Byrd amendment (to Bradley amendment to Gramm-Boren motion to recommit bill): Increases cigarette excise tax to 35 cents per pack. (77-18)	7-14
195	Gramm motion to table Bradley amendment (to Gramm-Boren motion to recommit bill taking with it Byrd amendment regarding U.S. policy toward protecting reflagged Kuwaiti tankers in Persian Gulf): Increases cigarette excise tax to 33 cents per pack. (75-19)	7-14
196	Bumpers, et al., cloture motion on Bumpers-Hatfield-Adams amendment: Prohibits funds to reflag any Kuwaiti naval vessels for 89 days following enactment of this legislation. (54-44)	7-15
197	Byrd-Dole, et al., amendment: Imposes trade embargo against Iran, or any other Persian Gulf state, which launches purposeful military or terrorist attack on U.S. vessels, facilities, or personnel with "silkworm" missiles or other weapons; and urges President to persuade all nations to discontinue transferring offensive weaponry to belligerent nations in region. (82-16)	7-15
198	Armstrong motion to table Danforth-Metzenbaum, et al., amendment: Permits President to continue Romania's most-favored-nation trading status if he reports to Congress that denial would make human rights improvements and emigration more difficult. (53-44)	7-15
199	Gramm-Armstrong amendment: Strikes title establishing international debt management agency. (49-50)	7-15
200	Boren-Gramm, et al., amendment: Repeals windfall profits tax. (58-40)	7-16
201	Hollings motion to table Harkin, et al., amendment: Requires foreign investors to register their U.S. investments with Department of Commerce and, if they own 25 percent interest, to disclose information required of U.S. companies whose stock is traded on stock exchanges. (83-11)	7-17
202	Johnston motion to table Chafee amendment: Eliminates cane sugar drawback provision allowing import duties paid on raw cane sugar to be refunded upon its refinement and export. (49-44)	7-17
203	Packwood motion to table Wilson-Hollings amendment: Repeals expedited procedures for passage of any trade agreements implementing legislation. (68-9)	7-17
204	Byrd-Danforth-Dole-Bingaman amendment: States sense of Senate that Secretary of Defense should continue negotiating with Japan for commitment to purchase U.S. fighter planes. (96-0)	7-21
205	Packwood-Bentsen motion to table Heinz amendment: Strikes new procedures that allow noncontroversial duty suspensions under expedited procedures and upon President's approval. (88-9)	7-21
206	Packwood motion to table Specter amendment: States sense of Senate that President should direct USTR to place highest priority in Uruguay round of multilateral trade negotiations (GATT) on strengthening existing remedies against unfair dumping, subsidization, and customs fraud, and negotiate international rules authorizing private right of action against unfair dumping practices and customs fraud. (65-31)	7-21

Vote No.		*Date 1987*
	TRADE AND COMPETITIVENESS ACT (H.R. 3)—Continued	
207	Packwood motion to table Daschle-Pryor amendment: Exempts newsprint from Section 218 import fee which will fund TAA program. (69-29)	7-21
208	Passage. (71-27)	7-21
	PUBLIC DEBT LIMIT (Gramm-Rudman-Hollings) (H.J. Res. 324, P.L. 100-119)	
209	Chiles motion to table Domenici substitute amendment (to Chiles motion to waive section 306 of Budget Act to allow consideration of Chiles amendment): Waives Budget Act for not-yet-offered Domenici-Gramm-Rudman amendment as well as pending Chiles amendment. (50-47)	7-23
210	Chiles motion to waive section 306 of Budget Act to allow consideration of Chiles amendment—Vote No. 211: Modifies sequester process of Gramm-Rudman-Hollings. (71-25)	7-23
211	Chiles modified amendment: Provides for maximum sequester order of $36 billion to take effect in October of each year unless Congress and President act to avoid sequester. (25-71)	7-23
212	Domenici motion to waive Budget Act to allow consideration of Domenici-Gramm-Rudman amendment: Modifies sequester process of Gramm-Rudman-Hollings and gives OMB responsibility for determining deficit size and sequester order. (47-49)	7-23
	VIETNAM MIA NEGOTIATIONS (S. Res. 255)	
213	Adoption. (92-0)	7-28
	POSTAL EMPLOYEE APPEAL RIGHTS (H.R. 348, P.L. 100-90)	
214	Helms-Thurmond substitute amendment: Extends to all postal employees right to appeal adverse personnel actions to Merit Systems Protection Board and allows appeal of Board decisions to Federal Circuit Court of Appeals. (18-74)	7-28
	HAITIAN HUMAN RIGHTS (Soviet Embassy) (S. Res. 248)	
215	Pell motion to table Symms-D'Amato amendment: Expresses sense of Senate that President should void current embassy site and construction agreements between U.S. and Soviet Union and seek agreement under which Soviet Union will move its new embassy to D.C. site that is no more than 90 feet above mean sea level. (26-71)	7-30
	PUBLIC DEBT LIMIT (Gramm-Rudman-Hollings) (H.J. Res. 324, P.L. 100-119)	
216	Johnston amendment: Extends public debt limit increase until May 1, 1989, instead of October 1, 1988, in amount of $2.8 trillion. (58-35)	7-31
217	Johnston, et al., modified perfecting amendment (to Gramm-Chiles amendment): Lowers deficit target for FY 1988 to $140 billion with $5 billion cushion, instead of $150 billion with $10 billion cushion, or requires at least $36 billion cut in baseline deficit; and lowers deficit target for 1989 from $130 billion to $120 billion with $10 billion cushion. (41-52)	7-31
218	Gramm-Chiles amendment: Establishes new deficit targets; maintains current $10 billion cushion; establishes maximum sequester order of $36 billion in FY 1989, which can be avoided only by reducing deficit $36 billion below baseline or reaching $130 billion deficit target; changes sequester procedure under which GAO will review OMB/CBO report and issue its own sequester report and OMB will issue final sequester report and explain differences with GAO; sustains current sequester formula of 50 percent defense/50 percent domestic spending; permits flexibility in military personnel cuts; and allows flexibility for cuts in other defense programs only if requested by President and approved by both Houses. (71-21)	7-31
219	Stennis motion to table Evans, et al., amendment—Vote No. 220. (43-49)	7-31

Vote No.		Date 1987
220	Evans, et al., amendment: Provides that each title of continuing appropriations resolution will be enrolled as separate joint resolution for presentation to President. (41-48)	7-31
221	Conrad motion to waive Budget Act to allow consideration of Conrad-Boschwitz amendment: Provides two percent across-the-board cut on all spending levels in FY 1988 budget except for social security, payroll tax portion of Medicare, and enforcement functions of IRS. (36-53)	7-31
222	Packwood-Byrd, et al., motion to table Humphrey, et al., amendment: Repeals pay raise for Members of Congress and executive branch that went into effect on March 1, 1987 (while maintaining pay raise for judiciary). (49-40)	7-31
223	Grassley, et al., amendment: Requires, beginning in 1990, affirmative vote by Congress to approve recommendation of President's Commission for Congressional Pay Raise. (84-4)	7-31
224	Passage. (54-31)	7-31
	NOMINATION OF ALAN GREENSPAN TO BE CHAIRMAN OF FED	
225	Confirmation. (91-2)	8-3
	SAVINGS AND LOAN RECAPITALIZATION (H.R. 27, P.L. 100-86)	
226	Adoption of conference report. (96-2)	8-4
	SCHOOL LUNCH/NUTRITION PROGRAM (H.R. 1340, P.L. 100-237)	
227	Passage. (97-0)	8-5
	NOMINATION OF DAVID S. RUDER TO BE CHAIRMAN OF SEC	
228	Confirmation. (81-17)	8-6
	OLDER AMERICANS (H.R. 1451, P.L. 100-175)	
229	Passage. (98-0)	8-6
	NOMINATION OF M. PETER MCPHERSON TO BE DEPUTY SECRETARY OF TREASURY	
230	Confirmation. (95-2)	8-6
	IRAN-IRAQ CEASEFIRE (H.J. Res. 216, P.L. 100-96)	
231	Passage. (96-0)	8-7
	NOMINATION OF NICHOLAS PLATT TO BE AMBASSADOR TO PHILIPPINES	
232	Confirmation. (88-5)	8-7
	PUBLIC DEBT LIMIT TEMPORARY INCREASE (H.R. 3190, P.L. 100-84)	
233	Passage. (51-39)	8-7
	NOMINATION OF MELISSA F. WELLS TO BE AMBASSADOR TO MOZAMBIQUE	
234	Fowler, et al., cloture motion on nomination of Melissa F. Wells to be Ambassador to Mozambique. (65-24)	9-9
235	Chair ruling that Helms amendment (stating sense of Senate that Secretary of State should seek meeting with opposing Mozambican armed forces to seek negotiated settlement of civil war and that humanitarian aid to Mozambique will be of marginal use until all foreign troops have left country and civil war has ended) to Executive Journal is not in order. (59-28)	9-9
	ETHICAL CONDUCT OF SENATE POLITICAL COMMITTEES (S. Res. 279)	
236	Adoption. (87-0)	9-9
	NOMINATION OF MELISSA F. WELLS TO BE AMBASSADOR TO MOZAMBIQUE	
237	Confirmation. (64-24)	9-9
	NOMINATION OF DAVID B. SENTELLE TO U.S. DISTRICT JUDGE FOR D.C.	
238	Confirmation. (87-0)	9-9
	CAMPAIGN FINANCING REFORM (S. 2)	
239	Boren, et al., sixth cloture motion on Committee substitute for bill. (53-42)	9-10

Vote No.		*Date 1987*
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
240	Byrd motion to bring up bill. (79-4)	9-11
	PHILIPPINES RESOLUTION (S. Res. 282)	
241	Adoption. (73-0)	9-11
	CAMPAIGN FINANCING REFORM (S. 2)	
242	Adams, et al., seventh cloture motion on Committee substitute for bill. (51-44)	9-15
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
243	Byrd motion: Sergeant at Arms to request attendance. (67-14)	9-15
244	Byrd-Nunn perfecting amendment (to Glenn, et al., amendment): States that Senate supports President's efforts to negotiate verifiable arms reduction treaties with Soviet Union and cautions that neither Congress nor President should take actions which are unilateral concessions to USSR. (92-1)	9-15
245	Warner-Dole, et al., perfecting amendment (to Glenn amendment): States that Senate declares that Congress supports President's negotiations with USSR and recognizes President's Constitutional role as sole voice of U.S. treaty negotiations; and that Congress must not seek to establish, in U.S. domestic law, positions on matters such as ASAT, nuclear testing, SALT II compliance, ABM Treaty interpretation, and role of chemical weapons when such sensitive arms control subjects are being negotiated. (35-59)	9-15
246	Byrd motion: Sergeant at Arms to request attendance. (83-10)	9-16
247	Quayle amendment: States congressional findings that President has certified that Krasnoyarsk radar is unequivocal violation of 1972 ABM Treaty and states sense of Congress that Soviet Union is in violation of legal obligation under Treaty. (89-0)	9-16
248	Nunn motion to table Warner, et al., amendment: Strikes section that prohibits funds for testing or developing mobile or space-based ABM's unless President submits detailed report to Congress and Congress so approves by joint resolution. (58-38)	9-17
249	Dixon-Simon amendment: Permits DOD to procure manual typewriters from Warsaw Pact countries that have most-favored-nation trading status (Poland) with U.S. (53-41)	9-17
250	Glenn motion to table Warner modified perfecting amendment (to Glenn amendment): Loosens standard by which Secretary of Defense may award SDI contract to foreign firm. (50-45)	9-17
251	Nunn-Quayle-Warner amendment: Provides that prohibition on awarding SDI research contracts to foreign firms shall not apply to contract awarded to foreign government or firm which agrees to fund substantial portion of total cost. (61-32)	9-17
252	Exon motion to table Stevens-Heflin, et al., amendment: Strikes section that allows State governors to withhold consent unconditionally for active duty for Federal training of Air National Guard units unless President certifies to governor that U.S. national security requires such action. (29-66)	9-17
253	Helms-Symms, et al., perfecting amendment (to Helms, et al., amendment): States sense of Senate that U.S. policy toward Central America should be based on principles of Monroe Doctrine. (90-2)	9-17
254	Nunn motion to table modified Helms, et al., amendment: Authorizes $310 million for military assistance to Contras for period ending March 31, 1989, unless President certifies to Congress before September 30, 1987, that there are no Soviet, Cuban, or communist bloc bases established in Nicaragua, Nicaragua poses no military threat to its neighbors, and Nicaraguan government respects basic human rights of its people. (61-31)	9-17
255	Byrd motion: Sergeant at Arms to request attendance. (73-8)	9-18

Vote No.		*Date 1987*
256	Warner motion to table Hatfield-Bumpers-Adams-Murkowski amendment (taking with it Adams perfecting amendment): Provides that War Powers Resolution shall be deemed to apply in Persian Gulf beginning 48 hours after designation of imminent danger zone on August 25, 1987. (50-41)	9-18
257	Dixon motion to table Helms amendment: Requires 50 existing single-warhead Minuteman II missiles be replaced with MIRVed Minuteman III missiles. (51-33)	9-18
	SENATE PROCEDURE—ATTENDANCE	
258	Byrd motion: Sergeant at Arms to request attendance. (79-7)	9-22
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
259	Exon motion to table Johnston-Proxmire-Evans, et al., amendment: Authorizes $3.7 billion for SDI rather than $1 billion increase. (50-50, with Vice President voting yea to break tie)	9-22
260	Quayle motion to table Kerry-Chafee-Simon, et al., amendment: Continues existing two-year moratorium on testing of ASAT against object in space until October 1, 1988, or until President certifies to Congress that Soviet Union has conducted such test. (51-47)	9-22
	SENATE PROCEDURE—ATTENDANCE	
261	Byrd motion: Sergeant at Arms to request attendance. (80-8)	9-23
	PUBLIC DEBT LIMIT (Gramm-Rudman-Hollings) (H.J. Res. 324, P.L. 100-119)	
262	Adoption of conference report. (64-34)	9-23
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
263	Bingaman motion to table Weicker amendment: Transfers $200 million in each FY 1988 and 1989 from DOD research, development, test, and evaluation funding to NIH to support medical research related to Armed Forces personnel. (64-34)	9-23
264	McCain-Warner-Dole amendment: States sense of Congress that U.S. would welcome initiative by Japan to assume politically acceptable and significant global security role consistent with its economic status by increasing its development assistance funding, especially outside of East Asia. (96-1)	9-24
265	Symms amendment: Requires President to void current embassy site and construction agreements between U.S. and Soviet Union and enter into negotiations for new agreement for USSR to move its new embassy to site that is 90 feet or less above sea level. (70-27)	9-24
266	Dodd, et al., amendment: States sense of Congress that U.S. should cease all economic and military assistance to Panama and prohibit sugar imports from Panama. (97-0)	9-24
267	Reid motion to table Hatfield-Kennedy, et al., amendment: Imposes two-year moratorium on spending to conduct underground nuclear explosions of more than one kiloton each, in weak-coupling geologic media, outside "designated test area," and unless test has been announced 30 days prior to explosion; provides that testing moratorium shall cease if President certifies to Congress that USSR has made certain violations or agreement is reached regarding underground nuclear explosion. (61-36)	9-24
268	Nunn motion to table Hatfield-Pryor, et al., amendment: Prohibits funds for final assembly of lethal binary chemical weapons before October 1, 1988. (53-44)	9-24
269	Shelby motion to table Pryor-Hatfield, et al., amendment: Prohibits funds for procurement or assembly of BIGEYE binary chemical bomb until specific authorizing legislation is enacted. (49-48)	9-24
270	Helms amendment: States sense of Senate that U.S. Navy is justified in sinking any Iranian vessel which threatens safe passage of American warship or any other vessel known to have U.S. citizen on board. (91-4)	9-24

Vote No. | *Date 1987*

DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)—Continued

271 Dixon motion to table Helms amendment: States sense of Senate that it should not consent to ratification of any treaty with USSR to limit intermediate nuclear forces unless treaty is unquestionably verifiable nor should any such treaty be signed until President has certified to Congress that USSR is no longer violating ABM Treaty. (62-28) 9-24

TREASURY-POSTAL SERVICE APPROPRIATIONS, 1988 (H.R. 2907, in P.L. 100-202)

272 Passage. (84-7) 9-25

DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)

273 Dixon motion to table Roth amendment: Makes non-NATO allies eligible to bid on DOD maintenance contracts and to perform that work outside equipment area. (49-48) 9-25

CONTINUING APPROPRIATIONS, 1988 (H.J. Res. 362, P.L. 100-120)

274 Passage. (70-27) 9-25

DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)

275 Heinz, et al., amendment: Provides that 50 percent of U.S. assessed contributions to U.N. may not be obligated until President certifies to Congress that significant progress has been made in eliminating excessive use of "secondment" by member states and blatant control of U.N. employees by their national governments. (95-0) 9-25

276 Glenn motion to table Lautenberg, et al., amendment—Vote No. 277. (42-55) 9-25

277 Lautenberg, et al., amendment: Permits members of Armed Forces to wear item of religious apparel while in uniform if it is neat and does not interfere with performance of military duty. (55-42) 9-25

278 Dixon motion to table Helms-D'Amato amendment: Provides that members of foreign diplomatic missions and foreign consular posts (other than diplomatic agents and consular officers) shall not be entitled to immunity for crimes committed in U.S. (48-46) 9-25

NOMINATION OF WILLIAM S. SESSIONS TO BE DIRECTOR OF FBI

279 Confirmation. (90-0) 9-25

DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)

280 Conrad, et al., amendment: Expresses sense of Congress that President should negotiate with NATO nations and Japan for purpose of reaching agreement on more equitable distribution of defense spending or a system of offsetting payments designed to achieve a division of responsibility for defense spending between those allies and U.S. (90-4) 9-29

281 Dole, et al., amendment: States sense of Senate that U.S. Armed Forces members who participated in September 21-22 operation directed at Iranian mine-laying ship acted in finest traditions of Armed Forces and displayed exemplary professionalism. (96-0) 9-29

282 Byrd-Nunn amendment: Requires Secretary of Defense to report to Congress regarding nuclear deterrence in Europe and requires that report be submitted within 90 days or upon President's submission of INF treaty to Senate for ratification. (96-0) 9-29

283 Dole-Byrd, et al., amendment: Prohibits importation of all products into U.S. from Iran. (98-0) 9-29

284 Dixon motion to table Gramm amendment: Limits application of Davis-Bacon Act to DOD construction projects by increasing contract threshold from $2,000 to $250,000, above which Secretary of Labor must make prevailing wage rate determinations. (56-41) 9-29

285 Dixon motion to table Gramm amendment: Limits application of Service Contracting Act (SCA) to defense contracts by raising threshold from $2,500 to $1 million, below which prevailing wage rate determinations of SCA shall not apply. (67-30) 9-29

Vote No.		*Date 1987*
286	Helms-Dixon amendment: Prohibits Department of State from declaring itself to be foreign diplomatic mission (as it did during visit of Soviet Foreign Minister Shevardnadze). (90-7)	9-29
287	Dixon motion to table Wilson-Cranston amendment: Requires Secretary of Army to lease to San Francisco property on Presidio Army Base for use in treating AIDS patients. (23-75)	9-29
	INTERIOR APPROPRIATIONS, 1988 (H.R. 2712, in P.L. 100-202)	
288	Passage. (92-4)	9-30
	DISTRICT OF COLUMBIA APPROPRIATIONS, 1988 (H.R. 2713, in P.L. 100-202)	
289	Harkin motion to table Nickles amendment (as substitute for Committee amendment): Prohibits use of Federal and D.C. funds to perform abortions except where life of mother would be endangered if carried to term. (60-39)	9-30
290	Harkin motion to table Helms amendment: Prohibits funds for payment to District of Columbia after December 31, 1987, if D.C. City Council has not repealed D.C. Law 6-170, which prohibits insurance companies from requiring applicants to test for AIDS, using any test to deny, amend, cancel, or refuse to renew coverage, or raising premiums for five years for those who test positive. (44-55)	9-30
291	Passage. (76-23)	9-30
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
292	Byrd motion to table Byrd-Nunn, et al., modified perfecting amendment (to Weicker-Hatfield amendment): States that Congress determines that circumstances in Persian Gulf and Gulf of Oman meet conditions established in War Powers Resolution; requires President to report to Congress on reflagging policy and to terminate reflagging and escort policy unless Congress has specifically authorized such policy. (1-99)	9-30
	LEGISLATIVE APPROPRIATIONS, 1988 (H.R. 2714, in P.L. 100-202)	
293	Passage. (79-19)	9-30
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
294	Byrd motion: Sergeant at Arms to request attendance. (89-9)	10-1
295	Warner motion to table Bumpers-Leahy-Chafee, et al., amendment—Vote No. 299. (44-55)	10-1
296	Byrd, et al., cloture motion on Byrd-Nunn, et al., modified perfecting amendment (to Weicker-Hatfield amendment): States congressional findings that Congress determines that circumstances in Persian Gulf and Gulf of Oman meet conditions established in War Powers Resolution; requires President to report to Congress on reflagging policy and to terminate reflagging and escort policy unless Congress has specifically authorized such policy. (54-45)	10-1
297	Dole, et al., cloture motion on bill. (41-58)	10-1
298	Dole-Warner-Byrd amendment: Provides that U.S. shall not be obligated to abide by SALT II Treaty unless Senate has amended Treaty or ratified it, USSR has agreed to all Senate amendments, and each country has ratified Treaty. (97-0)	10-2
299	Bumpers-Leahy-Chafee, et al., amendment: Prohibits funds to overhaul, maintain, operate, or deploy more than aggregate total of 1,320 MIRVed launchers and heavy bombers (ICBM's, SLBM's, bombers, and cruise missiles); and lifts moratorium if President certifies to Congress that USSR deploys strategic forces exceeding that level or new agreement between U.S. and USSR becomes effective. (57-41)	10-2
300	Passage. (56-42)	10-2
	IRANIAN IMPORT BAN (S. 1748)	
301	Passage. (93-0)	10-6

Vote No.		*Date 1987*
	STATE DEPARTMENT AUTHORIZATION (S. 1394, in P.L. 100-204)	
302	Pell motion to table Helms modified perfecting amendment (to Wallop, et al., amendment): Prohibits impeding or delaying any national defense program in order to comply with any treaty which President has certified that USSR is violating unless President certifies that USSR is no longer violating it and USSR has given formal assurance that it will not again use impact areas adjacent to Hawaii or any other State for testing any nuclear weapons delivery system. (52-43)	10-6
303	Wallop, et al., amendment, as amended: States sense of Congress that Soviet ICBM test near Hawaii has increased risk of nuclear war; Congress condemns Soviet actions and demands apology; and President should report to Congress in 10 days on matter. (96-0)	10-6
304	Pell-Helms amendment: States sense of Congress that U.S. condemns human rights violations in Tibet by People's Republic of China (PRC) and requires Presidential determination that Chinese government is acting to resolve human rights issues in Tibet must accompany any sale of any defense article to PRC. (98-0)	10-6
305	Danforth motion to table Helms amendment (taking with it Helms modified perfecting amendment which would force Secretary of State to negotiate with RENAMO rebel forces in Mozambique): Prohibits authorization of funds for constructing, acquiring, studying, planning, or soliciting funds for residence for Secretary of State. (61-34)	10-6
	SENATE PROCEDURE—ATTENDANCE	
306	Breaux motion: Sergeant at Arms to request attendance. (85-13)	10-7
	STATE DEPARTMENT AUTHORIZATION (S. 1394, in P.L. 100-204)	
307	Pell motion to table Roth-Dole amendment: Imposes same travel restrictions on diplomats who are in this country from Eastern Europe and Cuba (which do not restrict travel of U.S. diplomats) as apply to Soviet diplomats. (36-60)	10-7
308	Pell motion to table Symms amendment: Expresses sense of Senate that Senate ought not to have consented to ratification of Panama Canal Treaties and that they are voidable unless Panama formally accepts DeConcini Reservation. (59-39)	10-7
309	Hatfield-Pell-Boschwitz, et al., amendment: Requires President to report to Congress on merits of transferring authority to admit all refugees under Immigration and Naturalization Act from Attorney General to Secretary of State. (63-33)	10-7
310	Melcher modified amendment: States sense of Congress that President should enter negotiations with government benefitting from U.S. military protection of reflagged Kuwaiti oil ships in Persian Gulf to secure reimbursements. (95-2)	10-7
311	Simpson motion to table Chafee-Pell-Moynihan, et al., amendment: Permits spouse and/or children of illegal alien who has already qualified for legalization of residence status (by entering country prior to January 1, 1982, and maintaining continous residence since that date) to also qualify for legalization. (55-45)	10-7
312	Byrd motion: Sergeant at Arms to request attendance. (77-11)	10-8
313	Wilson-DeConcini, et al., amendment: States sense of Congress that Soviet Union should not be included in any Arab-Israeli Peace Conference until USSR has done certain things. (95-0)	10-8
314	Helms amendment: Prohibits State Department from soliciting or receiving funds for purpose of providing living quarters for Secretary of State. (48-47)	10-8
315	Passage. (85-8)	10-8
	SENATE PROCEDURE—ATTENDANCE	
316	Byrd motion: Sergeant at Arms to request attendance. (72-13)	10-9
	WAR POWERS/PERSIAN GULF (S.J. Res. 194)	
317	Dole motion to table resolution. (37-52)	10-9

Vote No.		*Date 1987*
	PROMPT PAYMENT ACT (S. 328)	
318	Passage. (86-0)	10-9
	SENATE PROCEDURE—ATTENDANCE	
319	Byrd motion: Sergeant at Arms to request attendance. (67-12)	10-13
	NOMINATION OF C. WILLIAM VERITY, JR., TO BE SECRETARY OF COMMERCE	
320	Byrd, et al., cloture motion on nomination of C. William Verity, Jr., to be Secretary of Commerce. (85-8)	10-13
321	Confirmation. (84-11)	10-13
	SENATE PROCEDURE—ATTENDANCE	
322	Byrd motion: Sergeant at Arms to request attendance. (55-34)	10-14
	LABOR-HHS-EDUCATION APPROPRIATIONS, 1988 (H.R. 3058, in P.L. 100-202)	
323	Helms modified amendment: Prohibits use of funds provided to Centers for Disease Control to provide AIDS information and activities that encourage homosexual sexual activities. (94-2)	10-14
324	Weicker motion to waive Budget Act to allow consideration of Weicker amendment: Increases by $585 million funding for Low Income Home Energy Assistance Program. (47-50)	10-14
325	Chiles motion to table Rudman-Kasten amendment: Increases by $432.3 million funding for Low Income Home Energy Assistance Program and offsets increase by across-the-board cut of 1.94 percent in all other spending. (68-28)	10-14
326	Passage. (81-15)	10-14
	ARIAS NOBEL PEACE PRIZE (S. Con. Res. 83)	
327	Passage. (92-3)	10-15
	HUD APPROPRIATIONS, 1988 (H.R. 2783, in P.L. 100-202)	
328	Cranston, et al., amendment: Increases by $45.2 million VA medical care funding including $20 million for AIDS treatment, $21.2 million for health care personnel recruitment, and $4 million for start-up costs for six satellite out-patient clinics. (93-2)	10-15
329	Johnston motion to table DeConcini amendment: Adds $75 million for VA medical care field personnel pay increases, offset by reducing NASA's manned space station research. (84-12)	10-15
330	Garn motion to table Humphrey amendment: Reduces funding for UDAG by $100 million and cuts veterans medical care by $10 billion. (92-5)	10-15
331	Garn motion to table Humphrey-Hecht amendment: Adds $5.9 million for veterans medical care, offset by reducing funds for UDAG by $100 million. (67-31)	10-15
332	Passage. (86-12)	10-15
	COMMERCE-JUSTICE-STATE APPROPRIATIONS, 1988 (H.R. 2763, in P.L. 100-202)	
333	Passage. (82-9)	10-15
	SENATE PROCEDURE—ATTENDANCE	
334	Byrd motion: Sergeant at Arms to request attendance. (63-29)	10-16
	INDEPENDENT COUNSEL REAUTHORIZATION (H.R. 2939, P.L. 100-191)	
335	Byrd motion to bring up bill. (65-28)	10-16
	VETERANS' TRAVEL PAYMENTS (H.R. 2327, P.L. 100-159)	
336	Murkowski, et al., amendment (as substitute for Title III of bill): Extends for one year date by which "storefront" readjustment centers for Vietnam veterans must be relocated to VA medical centers. (33-57)	10-16
337	Passage. (89-1)	10-16
	WAR POWERS/PERSIAN GULF (S.J. Res. 194)	
338	Weicker motion to table resolution. (3-87)	10-16
339	Byrd, et al., cloture motion on Warner-Byrd substitute amendment. (67-28)	10-20

Vote No.		Date 1987
	WAR POWERS/PERSIAN GULF (S.J. Res. 194)—Continued	
340	Helms perfecting amendment (to Helms amendment—Vote No. 341): States that nothing in resolution should be construed as inconsistent with proposition that U.S. has preeminent interest in freedom of seas. (93-2)	10-20
341	Helms amendment, as amended by Vote No. 340: States that nothing in resolution shall prohibit U.S. Navy from destroying any Iranian vessel or Iranian installation which threatens safe passage of any American ship or vessel known to have U.S. citizen on board. (82-10)	10-20
342	Boren-Byrd-Dole, et al., modified amendment (to Warner-Byrd amendment): States sense of Senate that Senate approves and supports U.S. response to Iranian attack on U.S. flagged ship in Kuwaiti waters on October 16, 1987. (92-1)	10-20
343	Dole-Byrd-D'Amato amendment (to Byrd-Warner modified amendment): States that nothing in resolution should be construed as limiting President's Constitutional powers as Commander-in-Chief to utilize American military forces for self-defense operations, or as urging withdrawal of U.S. forces from Persian Gulf. (94-0)	10-21
344	Weicker modified amendment (to Byrd-Warner modified amendment): Requires Presidential report to Congress on situation in Persian Gulf to be submitted within 30 days (rather than 60 days) after enactment. (59-38)	10-21
345	Warner-Byrd first degree modified amendment and Byrd-Warner second degree modified amendment, en bloc: Requires President to report to Congress within 30 days of enactment on U.S. commitments and military involvements in Persian Gulf region, including duration of reflagging and escort operation and its objectives, costs, and impact; provides for expedited consideration of resolution dealing with U.S. policy and commitments in Persian Gulf; and states that nothing in resolution shall be construed as complying with, modifying, or negating any War Powers Resolution provision. (47-51)	10-21
346	Byrd motion to reconsider Vote No. 345. (58-40)	10-21
347	Reconsideration of Vote No. 345 and passage. (54-44)	10-21
	NOMINATION OF ROBERT H. BORK TO BE U.S. SUPREME COURT JUSTICE	
348	Confirmation (rejected). (42-58)	10-23
	MILITARY CONSTRUCTION APPROPRIATIONS, 1988 (H.R. 2906, in P.L. 100-202)	
349	Passage. (93-0)	10-27
	MEDICARE CATASTROPHIC ILLNESS COVERAGE (H.R. 2470)	
350	Heinz-Mitchell, et al., modified amendment: Phases in Medicare prescription drug coverage. (88-9)	10-27
351	Wallop-Helms amendment: Permits voluntary participation in catastrophic program. (18-77)	10-27
352	Bentsen motion to table Helms amendment: States sense of Senate that Federal tax rates should not be increased or included in any budget discussions between President and Congress. (65-32)	10-27
353	Passage. (86-11)	10-27
	AIRPORT CAPACITY EXPANSION BUDGET WAIVER (S. Res. 242)	
354	Passage. (92-5)	10-28
	AIRPORT CAPACITY EXPANSION (H.R. 2310, P.L. 100-223)	
355	Pressler motion to table Kassebaum amendment (as substitute for Exon-Baucus, et al., amendment): Reauthorizes Essential Air Service Program through September 30, 1990. (57-37)	10-28
356	Passage. (96-1)	10-28
	DOT APPROPRIATIONS, 1988 (H.R. 2890, in P.L. 100-202)	
357	Byrd motion: Sergeant at Arms to request attendance. (80-16)	10-29
358	Passage. (84-10)	10-29

Vote No. *Date 1987*

AIR PASSENGER PROTECTION (H.R. 3051)

359 Inouye motion to table Danforth-Hollings, et al., amendment: Requires mandatory pre-employment, periodically recurring, random, reasonable suspicion and post-accident testing of airmen, crew members, airport security screening personnel, and other safety-sensitive air employees for alcohol or any controlled substance; forbids such individuals from using, without lawful authority, alcohol or controlled substances on or off job; and requires similar programs for railroad and commercial motor vehicle operators. (7-83) 10-29

360 Adams amendment (as substitute for Adams amendment): Contains provisions of Airline Merger Transfer Act of 1987 which sunsets authority of Secretary of Transportation over airline mergers, acquisitions, consolidations, and interlocking directorates, including authority to exempt such transactions from antitrust laws. (64-28) 10-30

361 Passage. (88-5) 10-30

FHA EXTENSION (S.J. Res. 209, P.L. 100-154)

362 Cranston motion to table Armstrong-Shelby-Wilson amendment: Provides for permanent extension of FHA mortgage insurance programs. (64-28) 10-30

INDEPENDENT COUNSEL REAUTHORIZATION (H.R. 2939, P.L. 100-191)

363 Hatch amendment: Extends current independent counsel statute until December 31, 1989, instead of for five years with major modifications. (23-72) 11-3

364 Cohen motion to table Armstrong, et al., amendment: Makes independent counsel statute applicable to Members of Congress, thereby removing Attorney General's authority. (49-46) 11-3

365 Passage. (85-10) 11-3

SEMICONDUCTOR CHIP PROTECTION EXTENSION (S. 442)

366 Leahy motion to concur in House amendments. (96-0) 11-4

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700, in P.L. 100-202)

367 Johnston motion to table Adams-Reid amendment (to first Committee amendment): Adds texts of remaining Committee amendments except for amendment incorporating Nuclear Waste Policy Act Amendments. (55-30) 11-4

MARINE POLLUTION CONVENTION—ANNEX V (Treaty Doc. No. 100-3)

368 Adoption of resolution of ratification. (93-0) 11-5

IRAN/CONTRA COMMITTEE REPORT (H. Con. Res. 195)

369 Inouye motion to table Helms amendment: States sense of Congress that it is not in U.S.' national security interest to prosecute any individual who appeared before Select Committees investigating Iran arms sales and Contra fund diversions for related activity unless activities resulted in their clear personal and illegal financial gain or perjury. (91-4) 11-5

RAILROAD SAFETY, 1988-89 (S. 1539)

370 Passage. (93-0) 11-5

TUNA TREATY (Treaty Doc. No. 100-5)

371 Adoption of resolution of ratification. (89-0) 11-6

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700, in P.L. 100-202)

372 Johnston, et al., cloture motion on Johnston modified perfecting amendment (to first Committee amendment): Consolidates all Committee amendments. (87-0) 11-10

OLDER AMERICANS (H.R. 1451, P.L. 100-175)

373 Adoption of conference report. (93-0) 11-12

Vote No.		*Date 1987*
	ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700, in P.L. 100-202)	
374	Excepted Committee amendments, en bloc: Reduces President's request for Nuclear Waste Program by $140 million and directs Secretary of Energy to select by January 1, 1989, one of three nuclear waste repository sites; suspends further work on second repository in eastern U.S.; retains 70,000 metric ton limit on nuclear waste volume that may be placed in first repository; requires report by 2010 as to whether second repository is needed; authorizes construction of monitored retrievable storage facility (MRS) and directs Secretary to reconsider its location; and authorizes $100 million annually to host repository States and $50 million annually to host MRS States. (63-30)	11-12
375	Reid amendment: Requires Secretary of Energy, in selecting site for permanent nuclear waste repository, to give primary consideration to potentially adverse impacts on public health and safety. (37-56)	11-12
	HOUSING AND COMMUNITY DEVELOPMENT (S. 825, P.L. 100-242)	
376	Cranston motion to waive section 311 of Budget Act to allow consideration of conference report. (53-40)	11-13
	ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700, in P.L. 100-202)	
377	Shelby modified amendment: Prohibits funds by Departments of Energy or Justice to prosecute any individual, as officer of corporation, determined guilty of oil price overcharging and found liable with corporation. (70-13)	11-13
	INTERNATIONAL WHEAT AGREEMENT (Treaty Doc. No. 100-1)	
378	Adoption of resolution of ratification. (94-0)	11-17
	HOUSING AND COMMUNITY DEVELOPMENT (S. 825, P.L. 100-242)	
379	Byrd motion to reconsider Vote No. 376. (99-1)	11-17
380	Reconsideration of Vote No. 376. (57-43)	11-17
	SENATE PROCEDURE—ATTENDANCE	
381	Byrd motion: Sergeant at Arms to request attendance. (70-19)	11-18
	ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700, in P.L. 100-202)	
382	Breaux-Simpson motion to recommit bill with instructions to report back forthwith with Breaux-Simpson amendment: Requires Secretary of Energy to develop and conduct surface-based testing plan at all three candidate nuclear waste sites (in Washington, Texas, and Nevada) examining whether or not "fatal flaws" are present at any site; requires Secretary to prepare environmental impact statement on selected site; requires any monitored retrievable storage (MRS) facility to have license conditions that link capacity and acceptance date for fuel to progress in repository's construction; removes 70,000 ton waste limit on first nuclear waste repository; requires Secretary to consider proximity of surface water for any second repository that may be needed; removes provision on additional MRS facilities co-located with defense production facilities; and prohibits construction of MRS facility if found unnecessary by MRS Commission. (34-61)	11-18
383	Passage. (86-9)	11-18
	DOD AUTHORIZATION, 1988-89 (H.R. 1748, P.L. 100-180)	
384	Adoption of conference report. (86-9)	11-19
	NOMINATION OF FRANK C. CARLUCCI TO BE SECRETARY OF DEFENSE	
385	Confirmation. (91-1)	11-20
	INDEPENDENT COUNSEL REAUTHORIZATION (H.R. 2939, P.L. 100-191)	
386	Adoption of conference report. (85-7)	11-20
	NOMINATION OF JAMES BURNLEY IV TO BE SECRETARY OF TRANSPORTATION	
387	Confirmation. (74-0)	11-30

Vote No.		*Date 1987*
	SENATE PROCEDURE—ATTENDANCE	
388	Byrd motion: Sergeant at Arms to request attendance. (73-16)	12-1
	ELEMENTARY AND SECONDARY EDUCATION, 1988-93 (H.R. 5)	
389	Helms perfecting amendment (to Symms modified amendment): Prohibits any person (not just minors) from having access to "dial-a-porn" operation. (98-0)	12-1
390	Passage. (97-1)	12-1
	SENATE PROCEDURE—ATTENDANCE	
391	Bentsen motion: Sergeant at Arms to request attendance. (76-21)	12-2
	FHA EXTENSION (H.J. Res. 404, P.L. 100-179)	
392	Dixon motion to table Armstrong-Gramm amendment: Provides for a permanent extension of FHA mortgage insurance programs. (59-37)	12-2
	FARM CREDIT (H.R. 3030, P.L. 100-233)	
393	Melcher motion to table Inouye-Evans-McCain amendment: Strikes language that authorizes State, county, or municipality to levy and collect taxes on real property taken into trust by U.S. for Indians. (48-42)	12-2
	SENATE PROCEDURE—ATTENDANCE	
394	Byrd motion: Sergeant at Arms to request attendance. (75-19)	12-3
	VETERANS BENEFITS AND SERVICES (H.R. 2616)	
395	Cranston motion to table DeConcini, et al., amendment: Strikes section 333 that prohibits mandatory random drug testing of VA employees. (29-67)	12-3
396	Cranston motion to table Helms amendment: Requires VA to offer to test for AIDS inpatients who are veterans under age 40, intravenous drug abuse patients, patients with AIDS-related diseases, and other high risk patients. (24-68)	12-3
	FARM CREDIT (H.R. 3030, P.L. 100-233)	
397	Passage. (87-6)	12-4
	HAITI ELECTION COLLAPSE (S. Res. 336)	
398	Adoption. (90-0)	12-4
	VETERANS BENEFITS AND SERVICES (H.R. 2616)	
399	McClure motion to table Thurmond amendment (taking with it Metzenbaum-Thurmond-Kassebaum, et al., perfecting amendment): Makes it unlawful to manufacture, import, sell, possess, or deliver any firearm which is not detectable by metal detectors. (47-42)	12-4
400	Passage. (88-0)	12-4
	BUDGET RECONCILIATION, FY 1988 (H.R. 3545, P.L. 100-203)	
401	Byrd motion to waive Budget Act to allow consideration of Byrd-Dole, et al., amendment, Kassebaum-Boren, et al., amendment thereto, Gramm perfecting amendment,and Gramm motion to recommit with instructions, and, upon adoption of any, waives Budget Act for any of these provisions which are included in conference report. (81-13)	12-10
402	Harkin motion to waive Budget Act to allow consideration of Harkin-Heinz, et al., perfecting amendment (to Byrd-Dole, et al., amendment): Requires strict adherence to $50,000 farm deficiency payment limitation per person, and prohibits corporations that are not 90 percent owned by U.S. nationals and any foreign national from receiving U.S. farm program payments. (47-49)	12-10
403	Pryor motion to table Exon, et al., amendment (to Byrd-Dole, et al., amendment): Strikes provision allowing family corporation that must change from cash to accrual accounting to place tax deferrals in suspense account. (53-41)	12-10
404	Chiles motion to table Gramm modified perfecting amendment (to Byrd-Dole, et al., amendment): Reduces discretionary spending for defense by $700 million in budget authority (BA) and for nondefense items by $1.9 billion in BA in FY 1988. (72-24)	12-10

Vote No.		*Date 1987*
	BUDGET RECONCILIATION, FY 1988 (H.R. 3545, P.L. 100-203)—Continued	
405	Chiles motion to table Kassebaum-Boren, et al., amendment (as substitute for Byrd-Dole, et al., amendment): Cuts additional $1.4 billion in defense outlays and additional $2.1 billion in domestic outlays to freeze all defense and domestic discretionary spending; limits to two percent all COLA's except SSI; freezes reimbursements to doctors and hospitals under Medicare; freezes all current tax rates for one year (except standard deduction and personal exemption); and makes defense and domestic appropriations ceilings on budget authority and outlays binding for 1988 only. (71-25)	12-10
406	Pressler motion to waive Budget Act to allow consideration of Pressler perfecting amendment (to Byrd-Dole, et al., amendment): Exempts Guaranteed Student Loan program guarantee agencies that are contractually required to maintain minimum reserve level from provision requiring all guarantee agencies to reduce their existing reserves. (23-72)	12-10
407	Danforth amendment (to Byrd-Dole, et al., amendment): Strikes provisions which impose FCC fees on broadcast license transfers and Coast Guard user fees during FY 1988-90. (66-28)	12-10
	NOMINATION OF ANN DORE MCLAUGHLIN TO BE SECRETARY OF LABOR	
408	Confirmation. (94-0)	12-11
	CONTINUING APPROPRIATIONS, 1988 (H.J. Res. 395, P.L. 100-202)	
409	Johnston amendment: Changes date resolution becomes effective from November 20 to December 16. (93-0)	12-11
410	Rudman motion to table Gramm, et al., amendment: Earmarks $299.7 million of $310 million appropriation for Legal Services Corporation solely for direct delivery of dispute resolution for poor. (70-28)	12-11
411	Evans, et al., amendment: Requires separate presentation to President of each title of any continuing appropriations conference report agreed to by both Houses and prohibits consideration of any continuing appropriations measure covering more than 30 days unless each title corresponds to regular appropriations bill. (44-51)	12-11
412	Kerry modified perfecting amendment (to Stevens amendment): Prohibits obligation of $9 million of humanitarian assistance to Contras (provided in Stevens amendment) unless majority of five Central American presidents who signed Guatemala Peace Accord verify to President that such aid is consistent with accord or negotiated ceasefire is in place. (38-56)	12-12
413	Dole motion to table Harkin amendment: Repeals expedited procedures under which military aid requests for Contras are considered by Congress. (60-33)	12-12
414	Passage. (72-21)	12-12
	FARM CREDIT (H.R. 3030, P.L. 100-233)	
415	Adoption of conference report. (85-2)	12-19
	AGRICULTURE COMMITTEE SUPPLEMENTAL (S. Res. 304)	
416	Adoption. (52-35)	12-19
	COMMITTEE SUPPLEMENTALS (S. Res. 306, 311, 319, 321, 322, 325)	
417	Adoption. (64-22)	12-19
	NOMINATION OF MARVIN T. RUNYON TO BE MEMBER OF TVA	
418	Confirmation. (81-5)	12-19
	BUDGET RECONCILIATION, FY 1988 (H.R. 3545, P.L. 100-203)	
419	Adoption of conference report. (61-28)	12-22
	CONTINUING APPROPRIATIONS, 1988 (H.J. Res. 395, P.L. 100-202)	
420	Adoption of conference report. (59-30)	12-22

SENATE RECORD VOTES

100th Congress—1st Session

IRAN/CONTRA INVESTIGATION (S. Res. 23)

VOTE NO. 1

Voted

Adoption of the resolution which establishes an 11-member Senate Select Committee on Secret Military Assistance to Iran and the Nicaraguan Contras to investigate activities by (1) members and staff of the National Security Council (NSC), (2) any foreign government or any of its agencies, officers, or employees, or (3) any other individual, group, corporation, entity, or organization with respect to the direct or indirect sale, shipment, or other provision of arms to Iran and the use of the proceeds from such transaction to provide assistance to any faction or insurgency in Nicaragua or any other foreign country, in order to determine whether any activity was illegal, improper, unauthorized, or unethical.

Directs the Committee to study and reveal the full facts about the suitability of the structure and operations of the NSC, and persons serving as staff, consultants, or agents thereto, for any function related to the formulation, implementation, or conduct of American national security policy; directs the Committee to make recommendations, including recommendations for new legislation and amendments to existing law.

Specifies that a majority of the voting members shall constitute a quorum for reporting a matter or recommendation to the Senate and allows the Committee to fix a lesser number as a quorum to take testimony or conduct other business; empowers the Select Committee to issue subpoenas to obtain testimony and/or documentary or physical evidence and to recommend to the Senate any appropriate action, including criminal or civil enforcement, regarding the willful failure or refusal by any individual(s) to obey a subpoena.

Authorizes the Committee to access any relevant data, evidence, information, report, analysis, document, or paper which is in the custody or under the control of any U.S government department, agency, entity, officer, or employee without regard to the jurisdiction or authority of any other Senate committee.

Provides for the protection of confidential and classified information.

Gives the Committee access to all records, files, documents, and other materials obtained or produced by the Intelligence Committee during its investigation of this matter and empowers the Select Committee to enforce any subpoenas issued by the Intelligence Committee.

Requests any independent counsel, who may be appointed to investigate this matter, to make available to the Select Committee, as expeditiously as possible, all documents and information which may assist it in its investigation and study.

Requires the Select Committee to report the final results of its investigation to the Senate, together with any recommendations, by October 30, 1987.

Note: The following Senators were appointed to the Committee: Inouye [Chairman], Mitchell, Nunn, Sarbanes, Heflin, Boren, Rudman [Vice Chairman], McClure, Hatch, Cohen, and Trible.

Resolution agreed to. Yeas 88 (53D–35R), Nays 4 (1D–3R), Not Voting 8 (1D–7R). January 6, 1987. -------

AFGHANISTAN RESOLUTION (S. Res. 31)

VOTE NO. 2

Adoption of the resolution which renews the Senate's condemnation of the continued Soviet invasion and occupation of Afghanistan against the will of the Afghan people, an activity which has been reflected in seven United Nations resolutions of condemnation; renews the Senate's commitment to support the Afghan people through the provision of appropriate material support; urges the Soviet Union to present, through its Afghan representatives, an expeditious timetable of no more than four months for the complete withdrawal of its forces at the next session of U.N.-sponsored indirect negotiations with representatives of Pakistan (scheduled for February 1987); and urges the government of Pakistan to resist Soviet pressure to accept any-

AFGHANISTAN RESOLUTION—Continued

thing less than such a timetable for withdrawal at those negotiations.

Resolution agreed to. Yeas 92 (54D–38R), Nays 0, Not Voting 8 (1D–7R). January 6, 1987. -------

CLEAN WATER (H.R. 1)

VOTE NO. 3

Dole substitute amendment which authorizes $12 billion through FY 1993 for wastewater treatment; authorizes the Environmental Protection Agency to provide, on a discretionary basis, grants from existing funds for up to 55 percent of a treatment project's cost; and allows States to use up to 11 percent of their Federal grant money with State funds for nonpoint source demonstration projects.

Amendment rejected. Yeas 17 (2D–15R), Nays 82 (53D–29R), Not Voting 1 (1R). January 21, 1987. -------

VOTE NO. 4

Passage of the bill which authorizes a total of $18 billion through FY 1994 for water treatment projects of which $8.4 billion is for a new revolving fund to provide loans to States for up to 100 percent of a project's cost (funded from 1989–94) and $9.6 billion is for the Title II construction grant program (funded from 1986–90).

Authorizations: Extends the Title II grant program for sewage treatment projects through FY 1990 at a funding level of $9.6 billion in FY 1986–90 and initiates a new program of grants to States to capitalize Water Pollution Control Revolving Funds authorized from FY 1989–94 with funding of $8.4 billion; authorizes a new State-by-State allocation formula for distribution of Title II grants and Revolving Fund grants.

Permits States to use their revolving funds, initially capitalized with Federal assistance, to make loans to cities for up to 100 percent of the construction cost of an eligible sewage treatment project which would be repaid with interest to the State and available for subsequent loan to other communities; requires States annually to contribute up front a 20 percent matching amount to the Federal contribution to be paid on a quarterly basis.

Authorizes grants for a national clearinghouse to collect and disseminate information on alternative wastewater treatment technologies; authorizes the establishment of an EPA office to coordinate Federal and State efforts to improve the quality of the Chesapeake Bay and an accompanying research program; establishes in law the Great Lakes National Program Office, and authorizes planning, management, and research activities; authorizes research on harmful effects of pollutants.

Construction Grant Amendments: Requires the Administrator to make decisions within 90 days on appeals filed over disputes on construction grant awards; authorizes Federal funding for certain types of wastewater projects and directs EPA to enter into an agreement with an applicant specifying the costs allowable for Federal funding; allows use of a user charge system imposing lower charges for low-income residential users; extends through FY 1990 the minimum State share of one-half of one percent, through FY 1994 the construction grant set aside for water quality management planning, and through FY 1990 the prohibition on the use of Federal funds for separate storm sewer projects; permits States to reserve a portion of their construction grant allotment for alternative sewage treatment works in small communities; extends through FY 1990 the reservation of one-half of one percent set aside to increase the Federal share of innovative and alternative wastewater system projects; reserves a portion of the set aside used for water quality management purposes for regional and interstate public planning groups; authorizes a State to reserve a portion of its allotment for combined sewer overflow effects on marine bays and estuaries and to implement a national estuary program.

Special Projects: Includes authorization for certain specified wastewater treatment projects having authorization levels of more than $160 million, and authorizes certain other projects, with grants generally to be made from funds allotted to the respective States, rather than additional authorizations.

Nonpoint Source Pollution Management: Requires States to develop and implement programs for control of nonpoint sources of pollution and allows them to reserve one percent of their annual construction grant allotment or $100,000, whichever is greater, and to use a portion of their revolving fund monies for such activities; provides financial assistance to implement nonpoint source control measures totaling $400 million over four years.

Standards and Enforcement: Establishes new compliance deadlines for industrial sources to attain standards under the Act.

Miscellaneous: Establishes a consolidated procedure for review of EPA actions, and authorizes the award of attorney and expert witness fees to any prevailing or substantially prevailing party; directs EPA and the Indian Health Service to assess sewage treatment needs for Indian tribes and treats Indian tribes as States for certain purposes of the Act, including construction grants.

NOTE: The President vetoed the bill on January 30, 1987. See Vote No. 19 on the veto override.

Bill passed. Yeas 93 (55D–38R), Nays 6 (6R), Not Voting 1 (1R). January 21, 1987.

SOVIET HUMAN RIGHTS (S. Con. Res. 8)

VOTE NO. 5

Adoption of the concurrent resolution which strongly protests continued human rights repression in the Soviet Union, especially their new emigration regulations; declares that the Soviet Union's human rights abuses seriously affect the atmosphere for productive negotiations on U.S.-USSR bilateral relations; calls upon Soviet authorities to permit the release and emigration of "refuseniks"; and makes congressional support of the restoration of human rights to all Soviet citizens, especially the internationally recognized right of Soviet Jews and others to emigrate, a priority of the 100th Congress.

Concurrent resolution agreed to. Yeas 99 (55D–44R), Nays 0, Not Voting 1 (1R). January 21, 1987.

SENATE COMMITTEE FUNDING (S. Res. 80)

VOTE NO. 6

Ford motion to table the Symms-Nickles amendment to reduce each Senate Committee's budget by five percent across-the-board.

Motion to table agreed to. Yeas 58 (50D–8R), Nays 36 (4D–32R), Not Voting 6 (1D–5R). January 28, 1987.

FEDERAL PAY RAISE DISAPPROVAL (S.J. Res. 34)

VOTE NO. 7

Weicker substitute amendment which, effective February 4, 1987, establishes the annual rate of pay for Members of Congress at $120,000; prohibits Members of Congress from earning any honoraria; permits Members of Congress to receive actual and necessary travel expenses while away from the Washington, D.C., area; and establishes the annual rate of pay for Members of the executive and judicial branches at 88 percent of the individual recommendations of the Federal Pay Commission, as contained in its December 15, 1986, report.

Amendment rejected. Yeas 2 (2R), Nays 93 (55D–38R), Not Voting 5 (5R). January 29, 1987.

VOTE NO. 8

Wilson-Warner-Gramm amendment which disapproves the President's recommended pay raise for Members of Congress only (thereby allowing the recommended pay increases for executive and judicial positions to take effect).

Amendment rejected. Yeas 27 (15D–12R), Nays 66 (39D–27R), Not Voting 6 (1D–5R), Present 1 (1R). January 29, 1987.

VOTE NO. 9

Passage of the joint resolution which disapproves the pay raise for Members of Congress, Federal judges, and other top execu-

FEDERAL PAY RAISE DISAPPROVAL—Continued

tive branch officials as recommended by the President in his FY 1988 Budget, transmitted to Congress on January 5, 1987.

NOTE: The proposed pay increase (under which salaries of Members of Congress would be raised from $77,400 to $89,500) automatically becomes effective on March 1, 1987, unless a joint resolution of disapproval is passed by both Houses and signed into law by the President within 30 days. The 30-day period expired at midnight, February 3, 1987. The House did not disapprove the pay increase until February 4, 1987.

Identical language disapproving the President's pay recommendations was added by the Senate as a floor amendment to H.J. Res. 102, the Emergency Food and Shelter Program Appropriations—see Vote No. 12.

Joint resolution passed. Yeas 88 (51D–37R), Nays 6 (3D–3R), Not Voting 6 (1D–5R). January 29, 1987. -------

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EMERGENCY FOOD AND SHELTER PROGRAM APPROPRIATIONS, 1987/FEDERAL PAY RAISE DISAPPROVAL

(H.J. Res. 102)

VOTE NO. 10

Chiles motion to waive section 302(f) (which creates a point of order against legislation providing new outlays in excess of those remaining in the Appropriations Committee section 302(b) allocations) and section 311(a) (which creates a point of order against any legislation that would result in increased outlays) of the Budget Act with respect to H.J. Res. 102, the "homeless" bill, as reported by the Appropriations Committee.

Motion agreed to. Yeas 67 (46D–21R), Nays 22 (5D–17R), Not Voting 11 (4D–7R). January 29, 1987. -------

VOTE NO. 11

Proxmire motion to table the Murkowski, et al., amendment which authorizes the Veterans Administration to contract residential psychiatric treatment for homeless and certain other chronically mentally ill veterans and transfers $5 million of the $50 million transferred to FEMA's emergency food and shelter program to the VA for this purpose.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 2 (2D), Nays 82 (47D–35R), Not Voting 16 (6D–10R). January 29, 1987. -------

VOTE NO. 12

Passage of the joint resolution which provides, by transfer, $50 million for FEMA's emergency food and shelter program, of which $5 million shall be transferred to the Veterans' Administration for homeless veterans with chronic mental illness; rescinds $7.5 million in FEMA disaster relief funds; disapproves the deferral of $28 million in temporary food assistance funds; and disapproves the pay raise for Members of Congress, Federal judges, and top executive branch officials, as recommended by the President in his FY 1988 budget transmitted to Congress on January 5, 1987.

NOTE: The proposed pay increase (under which the salaries of Members of Congress would be raised from $77,400 to $89,500) would automatically become effective on March 1, 1987, unless a joint resolution of disapproval is passed by both Houses and signed into law by the President within 30 days of its transmission to the Congress. The 30-day period expired at midnight, February 3, 1987.

The House, on February 4, 1987, agreed to the Senate amendments thus clearing the bill for the President. Because the House did not act prior to the midnight, February 3, 1987, deadline, the Federal pay raise took effect. The Senate, also on February 4, 1987, passed by voice vote S.J. Res. 42 to repeal the pay raise.

See also Vote No. 9 by which the Senate passed a joint resolution containing identical language disapproving the President's pay recommendations.

Joint resolution passed. Yeas 78 (49D–29R), Nays 5 (5R), Not Voting 17 (6D–11R). January 29, 1987. -------

Became Public Law 100–6.

Voted

FEDERAL-AID HIGHWAY AUTHORIZATION BUDGET WAIVER (S. Res. 85)

VOTE NO. 13

Adoption of the resolution waiving section 303(a) of the Congressional Budget Act (which creates a point of order against legislation providing new budget authority for a fiscal year for which a budget resolution has not been adopted) in order to allow consideration of S. 387, the Federal-Aid Highway Act of 1987.

Resolution agreed to. Yeas 91 (50D–41R), Nays 1 (1R), Not Voting 8 (5D–3R). February 2, 1987. -------

FEDERAL-AID HIGHWAY AUTHORIZATION (H.R. 2)

VOTE NO. 14

Symms-Burdick, et al., amendment which permits States to raise the speed limit to 65 miles per hour on interstate highway segments located outside any urbanized area having a population of 50,000 or more.

Amendment agreed to. Yeas 65 (35D–30R), Nays 33 (20D–13R), Not Voting 2 (2R). February 3, 1987. -------

VOTE NO. 15

Ford motion to table the Stafford-Moynihan, et al., amendment to add a modified version of the highway beautification reform amendment contained in the 1986 Senate-passed bill which prohibits the erection of new signs or displays outside urban areas after February 1, 1987; permits new billboards of up to 75 square feet to be erected in commercial or industrialized urban areas; requires cash payment for billboard removal due to Federal statute; gives States the choice of providing cash payment or amortization in enforcing local billboard removal statutes; requires States to maintain a permit system or accurate inventory of billboards along interstate and primary systems; requires States to remove illegal signs within 90 days of identification; and prohibits the removal of trees or vegetation for the purpose of improving a billboard's visibility.

Motion to table agreed to. Yeas 57 (31D–26R), Nays 40 (23D–17R), Not Voting 3 (1D–2R). February 3, 1987. -------

VOTE NO. 16

Moynihan motion to table the Cochran-Thurmond-Melcher amendment to add cement and cement clinker to the list of "Buy America" products which must be purchased for highway and mass transit projects costing more than $500,000.

Motion to table agreed to. Yeas 65 (31D–34R), Nays 33 (23D–10R), Not Voting 2 (1D–1R). February 3, 1987. -------

VOTE NO. 17

Hollings-Gore amendment (as a substitute for the Danforth amendment which addresses provisions in the House-passed bill by adding the Senate-passed version of the 1986 National Highway Traffic Safety Administration [NHTSA] Authorization bill and certain amendments relating to motor vehicle safety requirements) expressing the sense of the Senate that automobile safety issues are of critical national importance and that the Senate Commerce Committee should act to address these issues in separate authorizing legislation for the NHTSA to be reported to the Senate by April 1, 1987.

Amendment agreed to. Yeas 58 (53D–5R), Nays 40 (1D–39R), Not Voting 2 (1D–1R). February 3, 1987. -------

URBAN MASS TRANSPORTATION (S. Res. 83)

VOTE NO. 18

Adoption of the resolution waiving section 303(a) of the Congressional Budget Act (which creates a point of order against legislation providing new budget authority for a fiscal year for which the budget resolution has not been adopted) in order to allow consideration of S. 382, the Urban Mass Transportation Authorization bill, as reported by the Banking Committee, as an amendment to the Federal-Aid Highway Act of 1987.

Resolution agreed to. Yeas 84 (52D–32R), Nays 16 (3D–13R). February 4, 1987. -------

CLEAN WATER (H.R. 1)

VOTE NO. 19

Reconsideration of the vetoed bill which authorizes a total of $18 billion through FY 1994 for water treatment projects of which $8.4 billion is for a new revolving fund to provide loans to States for up to 100 percent of a project's cost (funded from 1989-94) and $9.6 billion is for the Title II construction grant program (funded from 1986-90); provides a process for States to develop and implement programs for control of nonpoint source pollution allowing them to use both grants and revolving funds for this purpose and earmarks $400 million over four years for nonpoint source pollution remedies; authorizes an increased Federal share for certain wastewater treatment projects; and makes various amendments to the construction grant program and the standards and enforcement provisions of the Act. (See Vote No. 4 for the major provisions of the bill.)

NOTE: The President vetoed H.R. 1 on January 30, 1987. In his veto message, President Reagan objected to what he termed "excessive funding" for the sewage treatment grant program; the increase in the Federal share of the costs of certain municipal projects; and the establishment of a Federally controlled and directed program to control "non-point" source pollution. In the 99th Congress, an identical bill, S. 1128, was pocket vetoed by the President for the same reasons following the sine die adjournment of the Congress.

NOTE: The House overrode the veto on February 3, 1987, by a vote of 401 to 26.

Veto overridden. Yeas 86 (54D-32R), Nays 14 (1D-13R). February 4, 1987. -------

Became Public Law 100-4, without approval.

FEDERAL-AID HIGHWAY AUTHORIZATION (H.R. 2)

VOTE NO. 20

Gramm amendment (to the Dixon amendment authorizing Federal mass transit assistance programs through FY 1990 embodying the Urban Mass Transportation Act of 1987) which overrides transit labor protection provisions, including collective bargaining rights, in the Urban Mass Transportation Act of 1964 in order to provide unrestricted rights for mass transit grant recipients to negotiate transit service contracts with private companies.

NOTE: Subsequently, the Dixon amendment was agreed to by voice vote.

Amendment rejected. Yeas 30 (30R), Nays 70 (55D-15R). February 4, 1987. -------

VOTE NO. 21

Passage of the bill which authorizes $52,387,600,000 from the Highway Trust Fund in FY 1987-90 for the Federal-aid Highway Program (which includes annually $8.15 billion for the Interstate Primary Program, $750 million for the Federal-aid urban system, $600 million for the Federal-aid secondary system, and $1.5 billion for the bridge replacement and rehabilitation program); establishes an obligation limitation of $12.35 billion in each of FY 1987-90 (exclusive of Emergency Relief and Minimum Allocation funds).

Federal-Aid Interstate-Primary Program: Establishes a new Federal-aid Interstate-Primary Program consisting of traditional Primary Program System projects and Interstate construction, resurfacing, restoration, rehabilitation, and reconstruction projects; sets the Federal share for Interstate-Primary funds used on the Primary system (other than the Interstate) at not to exceed 75 percent of construction costs; provides that the Federal share of a highway emergency relief project would be 100 percent for emergency work done in the first 30 days after the occurrence.

ICE/ISCE: Provides that funds for the Interstate Cost Estimate (ICE) and Interstate Substitute Cost Estimate (ISCE) would be administratively released.

Interstate Substitute Program: Authorizes $650 million annually in FY 1987-90 for highway substitution projects and makes substitution funds available in a State for two years.

Apportionment: Sets aside funds for the Strategic Highway Research Program from Federal-aid Interstate-Primary, Urban, Secondary, Bridge, Highway Substitution, Railway-Highway Crossing and Hazard Elimination authorizations; provides a formula for the new Interstate-Primary Program which apportions

$3.0 billion based on the administratively adjusted ICE, $2.8 billion based on the existing Interstate 4R formula, and $2.35 billion based on the existing Primary formula; permits a State to transfer up to 50 percent of its apportionment between the Urban and Secondary Systems and to use 1.5 percent of apportioned Interstate Highway Transfer funds for highway planning and research activities.

Availability: Provides four-year availability of Interstate-Primary program funds and bridge replacement and rehabilitation funds; provides that bridge discretionary funds would remain available for obligation during the year of allocation.

Highway Trust Fund: Extends the present Highway Trust Fund excise taxes and the authority to spend from the trust fund through FY 1992; makes the heavy vehicle use tax applicable to trucks registered in Canada and Mexico.

Right-of-Way Donation: Allows 100 percent of a private contribution of right-of-way to be credited at its fair market value at the time of donation to the State's matching share for the project.

Vehicle Weight Limitations: Withholds the Interstate construction portion of Federal-aid Interstate-Primary funds for vehicle weight violations.

Toll Facilities: Requires toll authorities to certify to the Governor that sufficient reserves are available to cover the construction, operation, maintenance, or replacement of toll facilities ineligible for Federal-aid highway funds.

Minimum Allocation: Adds total allocations as well as apportionments to the calculation of the 85 percent minimum funds; makes this provision permanent; and authorizes the minimum allocation for FY 1987-90.

Territorial Highways: Authorizes a Federal-aid system in each territory similar to the Primary system; places a $5 million fiscal year cap on emergency relief funds available in the territories.

Bicycle Projects: Permits States to use Federal-aid highway funds to design and construct bicycle facilities.

Emergency Relief Cap: Raises the emergency relief cap from $30 million to $100 million per disaster per State.

Buy America: Exempts projects costing $500,000 or less from domestic content requirements.

Disadvantaged Business Enterprise (DBE) Program: Establishes a DBE.

Combined Road Plan Demonstration Program: Authorizes the Secretary to conduct a combined road demonstration program under which up to ten States would participate in a block grant program for Federal-aid Secondary, Federal-aid Urban, and off-system, Urban, and Secondary Bridge projects.

Speed Limit: Permits States to raise the speed limit to 65 miles per hour on Interstate highway segments located outside any urbanized area having a population of 50,000 or more.

Urban Mass Transit: Authorizes the Federal Mass Transit Assistance programs through FY 1990; authorizes the establishment of a Rural Transit Assistance Program; provides that a State would be apportioned 80 percent of its tax payments to the Mass Transit account.

Uniform Relocation Assistance and Real Property Acquisition: Reforms the Uniform Relocation Assistance and Real Property Acquisition Policies Act to make its administration more equitable and efficient at all levels of government.

NOTE: See Vote No. 33 on the conference report and Vote No. 60 on the veto override.

Bill passed. Yeas 96 (53D-43R), Nays 2 (2R), Not Voting 2 (2D). February 4, 1987.

SENATE PROCEDURE—JOURNAL APPROVAL

VOTE NO. 22

Byrd motion to instruct the Sergeant at Arms to compel the attendance of absent Senators.

Motion for attendance agreed to. Yeas 88 (53D-35R), Nays 3 (3R), Not Voting 9 (2D-7R). February 5, 1987.

VOTE NO. 23

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 90 (53D-37R), Nays 3 (3R), Not Voting 7 (2D-5R). February 5, 1987.

Voted

SENATE PROCEDURE—JOURNAL APPROVAL—Continued

VOTE NO. 24

Byrd point of order that a quorum call which delays a vote on a motion to approve the Journal, after a quorum has been established, is out of order in that such quorum calls are dilatory and violate the intent of S. Res. 28, 99th Congress, which authorized this new motion. The question is: "Is the point well taken?"

Point of order sustained. Yeas 51 (50D–1R), Nays 38 (1D–37R), Not Voting 11 (4D–7R). February 5, 1987. -------

VOTE NO. 25

Byrd motion to approve the Journal of the Senate proceedings to date.

Note: The motion to approve the Journal of the Senate was delayed by parliamentary maneuvers for more than two hours, which, under Rule VIII, Paragraph 2, made the motion to proceed to S. 83, the Energy Standards for Appliances bill, a debatable motion.

Motion agreed to. Yeas 53 (52D–1R), Nays 39 (39R), Not Voting 8 (3D–5R). February 5, 1987. -------

ENERGY STANDARDS FOR APPLIANCES (S. 83)

VOTE NO. 26

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 87 (52D–35R), Nays 5 (5R), Not Voting 8 (3D–5R). February 5, 1987. -------

ARMS CONTROL NEGOTIATIONS (S. Res. 94)

VOTE NO. 27

Adoption of the resolution which expresses Senate support for the President's commitment to achieve mutual, equitable, verifiable, and stabilizing nuclear arms reduction agreements with the Soviet Union that serve to meet the national security interests of the United States and its allies; encourages both nations to use determined and creative diplomacy at the Geneva negotiations to resolve their remaining differences; cautions the Soviet Union against pursuing strategies designed to exploit American domestic politics or to divide the U.S. from its allies in an effort to secure advantages on arms reduction matters; urges the Soviet Union not to condition progress in all arms control matters on issues relating to strategic defense technologies; declares that an important obstacle to the achievement of acceptable arms control agreements with the Soviet Union has been its violations of existing agreements and calls upon the Soviets to rectify these violations, and in particular, to dismantle the newly constructed radar site at Krasnoyarsk, since it is in clear violation of the ABM Treaty; and urges the President to consult closely with America's allies and the Senate in the construction of sound arms reduction agreements.

Resolution agreed to. Yeas 93 (51D–42R), Nays 2 (1D–1R), Not Voting 5 (3D–2R). February 17, 1987. -------

ENERGY STANDARDS FOR APPLIANCES (S. 83)

VOTE NO. 28

Passage of the bill which establishes initial national energy conservation standards for major residential appliances (refrigerators and freezers, room air conditioners, central air conditioners, etc.) effective for periods of three to ten years beginning in 1988, 1990, 1992, or 1993, depending on the product; allows the Department of Energy (DOE) to promulgate new, more stringent standards for each product after the initial "lock-in" period; permits individuals to petition the Secretary for a rulemaking and allows for judicial review of a negative decision by the Secretary on a rulemaking petition; gives manufacturers at least five years within which to redesign their products for compliance; provides safeguards against the establishment of a small gas furnace standard which results in a buying preference or significant switching from gas to electric resistance heating.

Preemption: Preempts all State standards after Federal standards become effective, but allows States to petition DOE for a preemption waiver if the State regulation is needed to meet "unusual and compelling State and local interests" substantially different from those of the Nation; allows adoption of related State enacted performance-based building codes if they do not require installation of covered products which have efficiencies exceeding the applicable Federal standard.

Test Procedures, Enforcement, and Reporting: Retains all existing test procedures unless amended by the Secretary; requires adjustment of test procedures in order to conform with the energy conservation standards; provides expeditious judicial relief if DOE fails to comply with the statutory deadlines; allows individuals to seek declaratory judgments that State building codes do not comply with the Act.

Note: S. 83 is similar to H.R. 5465 which was passed unanimously by both Houses in the 99th Congress and was pocket vetoed by the President on November 1, 1986. In vetoing the bill the President cited his objection to the provision requiring the Department of Energy to propose new appliance energy efficiency standards every five years, stating that it was a burden on DOE and created uncertainty in the marketplace. S. 83 omits this requirement.

Bill passed. Yeas 89 (52D-37R), Nays 6 (6R), Not Voting 5 (3D-2R). February 17, 1987. -------

Became Public Law 100-12.

PHILIPPINE RESOLUTION (S. Res. 103)

VOTE NO. 29

Adoption of the resolution which reaffirms U.S. support for the Government of the Philippines under the leadership of President Corazon Aquino on the occasion of the approval of the new constitution by the Philippine people; commends President Aquino for the progress toward democracy and justice she has achieved in her first year of office; and praises the continued commitment of the Philippine government and people to strengthen their democracy and achieve significant economic, political, and military reform.

Resolution agreed to. Yeas 98 (54D-44R), Nays 0, Not Voting 2 (1D-1R). February 19, 1987. -------

CENTRAL AMERICAN INITIATIVE SUPPORT (S. Con. Res.

VOTE NO. 30

Adoption of the resolution stating that Congress appreciates the recent bold initiative by the heads of state of Costa Rica, El Salvador, Guatemala, and Honduras (the Arias proposal); congratulates them on their significant contributions toward ending armed conflict and reinforcing democracy in Central America; and supports the thrust of this initiative and looks forward to the next summit meeting in Esquipulas, Guatemala, in May.

Concurrent resolution agreed to. Yeas 97 (53D-44R), Nays 1 (1R), Not Voting 1 (1D). March 12, 1987. -------

CONTRA AID DISAPPROVAL (S.J. Res. 81)

VOTE NO. 31

Adoption (rejected) of the resolution disapproving the provision of $40 million in additional assistance to the Nicaraguan democratic resistance (Contras), pursuant to title II of the Military Construction Appropriations Act of 1987, except as provided in section 211(b) thereof within the limits of funds previously made available.

Note: Section 211(b) limits assistance to the Contras to humanitarian assistance, logistics advice and assistance, support for democratic political and diplomatic activities, intelligence gathering activities, and equipment and supplies necessary to defend against air attacks.

Joint resolution defeated. Yeas 48 (40D-8R), Nays 52 (14D-38R). March 18, 1987. -------

Voted

SENATE PROCEDURE

VOTE NO. 32

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 88 (51D–37R), Nays 6 (1D–5R), Not Voting 6 (2D–4R). March 19, 1987. -------

FEDERAL-AID HIGHWAY AUTHORIZATION (H.R. 2)

VOTE NO. 33

Adoption of the conference report on the bill which authorizes for FY 1987-91 a total of $68.6 billion from the Highway Trust Fund in FY 1987-91 for the Federal-aid Highway Program (which includes $15.5 billion to complete the Interstate system); establishes an obligation limitation of $12.35 billion in each of FY 1987-91.

ICE/ISCE: Provides that funds for the Interstate Cost Estimate (ICE) and Interstate Substitute Cost Estimate (ISCE) would be administratively released on October 1 annually if Congress has not acted to approve them.

Apportionment: Retains the current 4-R formula and the current separate Interstate and Primary programs; retains the Federal share for Interstate-Primary funds used on the Primary system (other than the Interstate) at not to exceed 75 percent of construction costs; continues the current formula for the Primary program through FY 1991; provides that the Federal share of a highway emergency relief project would be 100 percent for emergency work done in the first 30 days after the occurrence.

Minimum Allocation: Adds total allocations as well as apportionments to the calculation of the 85 percent minimum funds; makes this provision permanent and authorizes the minimum allocation for FY 1987-91; allows States to expend 1.5 percent of their minimum allocation for transportation planning in urban areas and an equal amount on research and planning.

Interstate Discretionary Funds: Revises the priority for the availability of Interstate Construction funds; sets aside $200 million annually from Interstate 4R funds for discretionary projects; directs the Secretary to give priority consideration to projects costing more than $10 million in high-volume urban routes or high truck-volume routes in rural areas.

Availability: Makes interstate construction and substitution funds available in a State for two years; provides for three-year availability of Interstate 4R funds; permits a State to reduce their availability to one year.

Bridge Replacement Funds: Increases the amount set aside for the discretionary bridge program to $225 million annually in FY 1987-91; establishes an off-system bridge program to permit a State to credit State-only financed off-system bridge replacement and rehabilitation projects toward its share of the cost of other Federal-aid bridge projects.

Highway Trust Fund: Extends the present Highway Trust Fund excise taxes and the authority to spend from the trust fund through FY 1992; extends the general exemptions from the highway excise taxes through FY 1993 (except for taxicab fuels); extends the gasohol exemption through FY 1993; makes the heavy vehicle use tax applicable to trucks registered in Canada and Mexico at a rate of 75 percent.

Right-of-Way Donation: Allows 100 percent of a private contribution of right-of-way to be credited at its fair market value at the time of donation to the State's matching share for the project.

Vehicle Weight Limitations: Withholds the Interstate construction portion of Federal-aid Interstate-Primary funds for vehicle weight violations and provides that withheld funds would not lapse if they were subsequently released and obligated within the normal four-year availability period.

Toll Facilities: Establishes a pilot program under which seven noninterstate toll facilities could receive a Federal share of up to 35 percent of the cost of constructing, operating, and maintaining these facilities.

Strategic Highway Program: Establishes a Strategic Highway Research Program with funding to come from the State apportionments at a level of approximately $30 million per year through FY 1991.

Disadvantaged Business Enterprise (DBE) Program: Continues the DBE Program through FY 1991.

Combined Road Plan Demonstration Program: Authorizes the Secretary to conduct a combined road demonstration program under which up to five States would participate in a block grant program for Federal-aid Secondary, Federal-aid Urban, and off-system, Urban, and Secondary Bridge projects.

Demonstration Projects: Contains an additional $178 million annually for specified demonstration projects with a State non-Federal match requirement of $71 million.

Territorial Highways: Authorizes a Federal-aid system in each territory similar to the Primary system; places a $5 million fiscal year cap on emergency relief funds available in the territories.

Emergency Relief Cap: Raises, retroactively to disasters occurring after December 31, 1985, the emergency relief cap from $30 million to $100 million per disaster per State.

Highway Safety: Authorizes $126 million in each FY 1987-91 for highway safety activities of the National Highway Traffic Safety Administration.

Urban Mass Transit: Authorizes a total of $18.9 billion for the Federal Mass Transit Assistance programs through FY 1991; authorizes the establishment of a Rural Transit Assistance Program; requires new assembly facilities for transit rolling stock to increase their domestic content from 50 percent to 60 percent by 1991.

Uniform Relocation Assistance and Real Property Acquisition: Reforms the Uniform Relocation Assistance and Real Property Acquisition Policies Act to make its administration more equitable and efficient at all levels of government.

NOTE: See Vote No. 35 on which the Senate voted to amend this conference report by adding provisions which permit States to raise the speed limit to 65 miles per hour on interstate highway segments located outside any urbanized area having a population of 50,000 or more.

On March 27, 1987, the President vetoed the bill, See Vote No. 60 on the veto override.

Conference report agreed to. Yeas 79 (51D-28R), Nays 17 (1D-16R), Not Voting 4 (2D-2R). March 19, 1987. -------

JAPANESE SEMICONDUCTOR AND TELECOMMUNICATIONS AGREEMENTS (S. Res. 164)

VOTE NO. 34

Adoption of the resolution which states the sense of the Senate (1) that the President should take all appropriate actions under section 301 of the Trade Act to remedy and prevent further violations by Japan of the trade agreement dealing with semiconductors signed with the U.S. on September 2, 1986, to compensate the U.S. for the harm suffered due to Japan's noncompliance and to prevent further injury to the U.S.; and such actions should serve to increase international semiconductor trade, penalize those who have violated the agreement, and be directed so as to avoid any adverse effects on U.S. semiconductor users; and (2) declares that the President should communicate with the government of Japan to insure that Japan fulfills its commitment under the terms of the Market Opening Sector Specific telecommunications negotiations for 33 percent equity participation by foreign firms in any consortium formed to compete with Kotusai Denshin Denwa in providing international telecommunications services via a fiber optics trans-Pacific cable from Japan to the U.S. through Alaska.

Resolution agreed to. Yeas 93 (50D-43R), Nays 0, Not Voting 7 (4D-3R). March 19, 1987 -------

SPEED LIMIT INCREASE (H. Con. Res. 77)

VOTE NO. 35

Adoption of the resolution which makes an enrollment correction in the conference report on the Highway Authorizations bill, (H.R. 2—Vote Nos. 33, 51, and 60) in order to permit States to raise the speed limit to 65 miles per hour on interstate highway segments located outside any urbanized area having a population of 50,000 or more.

Concurrent resolution agreed to. Yeas 60 (33D-27R), Nays 21 (10D-11R), Not Voting 17 (10D-7R). Live Pairs 2 (1D-1R). March 20 -------

Voted

CONTRA AID MORATORIUM (H.J. Res. 175)

VOTE NO. 36

Reid, et al., motion to close further debate on the motion to proceed to consideration of the joint resolution which imposes a moratorium on U.S. assistance for the Nicaraguan democratic resistance (Contras) until there has been a full and adequate accounting for previous assistance.

Cloture motion rejected. Yeas 46 (39D-7R), Nays 45 (12D-33R), Not Voting 9 (3D-6R). March 23, 1987. ________

VOTE NO. 37

Byrd, et al., second motion to close further debate on the Byrd motion to proceed to consideration of the joint resolution which imposes a moratorium on U.S. assistance for the Nicaraguan democratic resistance (Contras) until there has been a full and adequate accounting for previous assistance.

Cloture motion rejected. Yeas 50 (43D-7R), Nays 50 (11D-39R). March 24, 1987. ________

VOTE NO. 38

Byrd, et al., third motion to close further debate on the Byrd motion to proceed to consideration of the joint resolution which imposes a moratorium on U.S. assistance for the Nicaraguan democratic resistance (Contras) until there has been a full and adequate accounting for previous assistance.

Cloture motion rejected. Yeas 54 (46D-8R), Nays 46 (8D-38R). March 25, 1987. ________

EUROPEAN COMMUNITY TAX ON SOYBEANS (S. Con. Res. 21)

VOTE NO. 39

Adoption of the resolution expressing the sense of the Congress that the Administration should (1) vigorously oppose the European Community's (EC's) proposal for establishing a consumption tax on vegetable and marine fats and oils (which will affect U.S. exports, primarily, soybean products); (2) continue its efforts to ensure that such a tax is not established; and (3) communicate to the EC that the U.S. will view the establishment of such a tax as inconsistent with the EC's obligations under GATT.

Concurrent resolution agreed to. Yeas 99 (54D-45R), Nays 0, Not Voting 1 (1R). March 26, 1987. ________

CANADIAN TARIFF ON U.S. CORN (S. Con. Res. 27)

VOTE NO. 40

Adoption of the resolution expressing the sense of Congress that the U.S. Special Trade Representative should: (1) determine whether the imposition of a Canadian tariff of 84.9 cents per bushel on American corn is inconsistent with Canada's GATT obligations; (2) publish his determination regarding this matter in the Federal Register within 30 days; and (3) if Canada's actions are found to be unjustifiable under GATT, initiate an investigation (under section 301 of the Trade Act) and report the results to the President within 60 days.

Concurrent resolution agreed to. Yeas 99 (54D-45R), Nays 0, Not Voting 1 (1R). March 26, 1987. ________

SAVINGS AND LOAN (FSLIC) RECAPITALIZATION (S. 790)

VOTE NO. 41

Graham amendment (as a substitute for the Garn amendment) which would allow a grandfathered nonbank bank to acquire a failing thrift institution in another State if the acquisition is specifically authorized by the laws of the State in which the institution to be acquired is located.

Amendment agreed to. Yeas 52 (50D-2R), Nays 42 (42R), Not Voting 6 (4D-2R). **March 27, 1987.** ________

VOTE NO. 42

Byrd motion to table the Dole amendment expressing the sense of the Senate that if the President's veto of the Highway Authorization bill (H.R. 2) is sustained, the appropriate Senate

committees should report a new bill within seven calendar days of the disposition of the veto message.

Motion to table agreed to. Yeas 49 (48D–1R), Nays 45 (2D–43R), Not Voting 6 (4D–2R). March 27, 1987.

VOTE NO. 43

Garn amendment to strike Titles I and II, which contain provisions relating to the regulation of banks and nonbank banks, from the bill.

Amendment rejected. Yeas 35 (3D–32R), Nays 54 (44D–10R), Not Voting 11 (7D–4R). March 27, 1987.

VOTE NO. 44

Passage of the bill which provides new borrowing authority of $7.5 billion, limited to $3.75 billion annually, for the FSLIC to be capitalized through bonds issued by a new Financing Corporation for sale to private investors and backed by the Federal Home Loan Banks; requires the Federal Home Loan Bank Board (FHLBB) to transmit guidelines to Congress, within 45 days, for dealing with troubled but well-managed thrifts, and report by January 31, 1989, on the guidelines' effectiveness.

Closes the nonbank bank loophole by redefining a bank as an institution that has Federal Deposit Insurance Corporation (FDIC) insurance or that takes demand deposits and makes commercial loans; maintains current law exclusions from the bank definition for FSLIC-insured or Federally-chartered thrift institutions and certain institutions operating outside the U.S.; provides further limited exceptions for credit unions, credit card banks, and certain trust companies, industrial banks and loan companies, and other similar institutions.

Effective March 5, 1987, prohibits nonbank banks from commencing new activities and authorizes the Federal Reserve Board (Fed) to require reports from nonbank banks solely to ensure compliance; prohibits a nonbank bank from permitting overdrafts on behalf of an affiliate; allows a grandfathered nonbank bank to acquire a failing thrift institution in another State if specifically authorized by the laws of the State in which the institution to be acquired is located; limits the asset growth rate of nonbank banks to seven percent annually.

Extends to nonmember State-chartered, Federally-insured banks and thrifts, for one year, the Glass-Steagall prohibition against underwriting and distributing securities; grandfathers all arrangements in effect on March 5, 1987.

Allows State-chartered mutual savings and cooperative banks that form holding companies to retain State-authorized powers.

Generally restricts savings and loan holding companies to activities permitted for multiple savings and loan or bank holding companies.

Prohibits thrifts owned by a diversified savings and loan holding company from joint-marketing affiliate products or services that they were not engaged in before March 5, 1987, or that are permitted under the Bank Holding Company Act; contains exemptions for certain unitary savings and loan holding companies.

Allows purchasers of a failing thrift ten years to comply with the QTL test; authorizes the FHLBB to disapprove the purchase of more than ten percent of stock in a previously failing thrift by one purchaser if the thrift's net operating loss carryforward tax benefits would be lost.

Protects the grandfathered authorities of a multiple QTL savings and loan holding company which acquires a failing FSLIC-insured institution.

Establishes a Presidential Commission on Competitiveness in the Financial Services Industry to recommend any needed changes in product/service authorities and regulation of financial companies.

Imposes a moratorium, from March 6, 1987, until March 1, 1988, on the expansion of insurance and real estate activities for banks or bank holding companies, and on the approval of securities underwriting under the "principally engaged" loophole in the Glass-Steagall Act; allows Federal agencies to continue to process and rule on bank applications to expand such activities, but delays the effective date of such rulings until the moratorium's expiration.

Prohibits Fed approval of the acquisition of any company, including a State-chartered bank, unless the holding company agrees to limit the insurance activities of the acquired company or institution to those permitted by the Bank Holding Company Act.

Prohibits foreign banks or companies from expanding activities governed by section 8(c) of the International Banking Act of

SAVINGS AND LOAN—Continued

1978; and prohibits foreign companies from acquiring additional shares pursuant to section 2(h)(2) of the Bank Holding Company Act.

Freezes national bank insurance agency activities to geographic areas in which they were active as of March 5, 1987.

Authorizes the FDIC and Fed to approve the merger or acquisition by out-of-State institutions of failed or failing banks having at least $500 million in assets; requires State approval of interstate takeovers of failing banks; authorizes the FDIC to convert a failed bank for which it cannot find a buyer into a "Bridge Bank" and operate it as a full service bank for up to three years.

Permanently authorizes the NCUA's conservatorship authority; amends current law to streamline credit union operations; transfers FTC jurisdiction to the NCUA.

Requires depository institutions to disclose their check holding policies; directs the Fed, within one year of enactment, to adopt interim regulations providing for access to funds deposited by checks within six business days; requires banks to provide one day availability of funds from U.S., State, and local government checks; requires creditors to impose outside limits on adjustable rate mortgage loans.

Requires banks to cash Federal, State, or local government checks, without charge, for individuals who have obtained an identification card from the bank.

Allows agricultural banks to amortize, over ten years, agricultural loan losses suffered during 1984-91.

Requires the GAO Comptroller General to report to Congress by July 1, 1987, on the issuance of and investment in high yield, noninvestment grade bonds by Federally-insured institutions.

NOTE: On May 14, 1987, the Senate passed by voice vote the House companion bill, H.R. 27, as amended by the text of this bill—see Vote Nos. 109 and 110. See also Vote No. 226 on the conference report.

Bill passed. Yeas 79 (48D-31R), Nays 11 (11R), Not Voting 10 (6D-4R). March 27, 1987.

HOUSING AND COMMUNITY DEVELOPMENT (S. 825)

VOTE NO. 45

Riegle-Cranston-D'Amato modified amendment which postpones the implementation of regulations dealing with flood plain management standards; protects State and local officials from liability for complying with the Federal verification system under the Immigration and Naturalization Act of 1986; raises the maximum FHA mortgage ceiling; permanently authorizes and modifies the housing voucher program; requires the Secretary of Housing and Urban Development to issue no more than twice the number of vouchers as certificates in a fiscal year; standardizes administrative fees for certificates and vouchers at 8.2 percent; permits public housing agencies to make annual adjustments to assistance payments under the voucher program; establishes an adjustment pool to compensate for annual adjustments in areas experiencing higher than normal rent increases; requires the Comptroller General to report to Congress by October 30, 1987, on matters relating to the voucher and certificate programs; allows public housing agencies, under certain conditions, to retain a portion of comprehensive improvement assistance; caps UDAG project funding for most projects at $6 million; permits State and local governments to operate the urban homesteading program through qualified nonprofit community organizations; permits the use, under certain circumstances, of CDBG grants for 911 emergency telephone systems; grandfathers Multnomah County, Oregon, as an "urban county" under the CDBG program; and authorizes the City of Lebanon, Pennsylvania, to retain certain land disposition proceeds.

NOTE: The amendment includes technical and substantive initiatives made by various Senators to the managers of the bill, which subsequently were presented en bloc.

Amendment agreed to. Yeas 75 (39D-36R), Nays 0, Not Voting 25 (15D-10R). March 30, 1987.

VOTE NO. 46

Nickles amendment to strike Title V (the Nehemiah Housing Opportunity Program) which authorizes the Secretary of Housing and Urban Development to make grants to nonprofit corporations for noninterest-bearing second mortgages to median-income families for the purchase of newly constructed or sub-

stantially rehabilitated homes; limits the maximum loan per home to $15,000; requires loan recipients to make a ten percent down payment and repay the loan upon sale or transfer of the home; restricts loan eligibility to first-time buyers in distressed urban areas; and requires the Secretary to annually report to Congress on the program's progress.

Amendment rejected. Yeas 44 (9D-35R), Nays 54 (44D-10R), Not Voting 2 (1D-1R). March 31, 1987.

VOTE NO. 47

Reid amendment which reduces from 30 percent to 25 percent the amount that elderly persons must contribute from their income to live in low-income assisted housing.

Amendment rejected. Yeas 43 (35D-8R), Nays 55 (18D-37R), Not Voting 2 (1D-1R). March 31, 1987.

VOTE NO. 48

Humphrey amendment which terminates the Urban Development Action Grant Program (UDAG).

Amendment rejected. Yeas 23 (2D-21R), Nays 75 (51D-24R), Not Voting 2 (1D-1R). March 31, 1987.

VOTE NO. 49

Passage of the bill which extends for three years, through FY 1989, programs authorized under the Housing and Community Development Act of 1974.

FHA Mortgage Authority: Permanently extends the authorization for FHA mortgage insurance; limits insurance premiums for standard, fixed-rate mortgages to 3.8 percent of the principal bligation and other mortgage premiums to one percent; raises by 30 percent FHA's multi-family mortgage limits and authority to insure adjustable rate mortgages; permits the FHA mortgage ceiling in very high-cost areas to be increased to 150 percent of the statutory amount.

User Fees: Prohibits the imposition of user fees on government-sponsored secondary mortgage market agencies.

Home Equity Conversion: Authorizes a five-year demonstration program of mortgage insurance to help elderly homeowners convert their home equity to income and limits insurance authority to 2,500 mortgages through FY 1991.

Second Mortgages: Permanently extends Fannie Mae's and Freddie Mac's authority to purchase second home mortgages.

Community Development Block Grants (CDBGs): Authorizes CDBG's at $3 billion annually in FY 1987-89; phases out entitlement for certain communities after FY 1991; permits use of CDBG funds for the 911 emergency number.

Urban Development Action Grants (UDAGs): Authorizes UDAG's at $225 million annually in FY 1988-89; modifies the grant selection criteria so that funds are awarded 65 percent on the basis of the city's distress, the economic impact on the city, and project quality, and 35 percent on project quality alone; awards bonus points to cities that have not received a grant for one or two years; prohibits a business relocating from one UDAG eligible area to another, from obtaining UDAG benefits in the new area, unless no adverse effect can be cited.

Urban Homesteading: Authorizes Urban Homesteading at $12 million annually in FY 1987-89; extends through FY 1989 the local property demonstration program with annual funding authority of $1 million.

Rehabilitation Loan Fees: Prohibits risk premiums or loan fees under the section 312 Rehabilitation Loan Program.

Flood Insurance: Authorizes $37 million annually in FY 1988-89 for flood insurance studies under the National Flood Insurance Act; extends contract authority for national flood insurance policies and limits annual premium increases to 10 percent; extends through FY 1989 the emergency implementation portion and the authority to establish flood risk zones.

Assisted Housing: Authorizes lower income housing assistance programs at $7.51 billion annually in FY 1988-89; establishes a 15-year term for section 8 contracts; sets fees paid to a public housing agency administering Section 8 contracts at 8.5 percent; requires annual adjustment of Section 8 rents; permanently authorizes housing vouchers and provides for a thorough evaluation of the Section 8 voucher and certificate programs.

Rental Rehabilitation/HoDAG: Authorizes $220 million for rental rehabilitation and $100 million for HoDAG development grants; makes housing owned by State or locally-chartered, neighborhood-based nonprofit corporations eligible for rental rehabilitation; permits States to administer the program in rural areas; adjusts the rehabilitation caps to accommodate larger units.

HOUSING AND COMMUNITY DEVELOPMENT—Continued

Elderly and Handicapped: Authorizes $595 million annually in FY 1988-89 for elderly and handicapped housing; caps the interest rate on Section 202 loans and notes at 9.25 percent.

Section 235 Funding: Permits the continued commitment of funds previously appropriated for the section 235 Homeownership program through FY 1989.

Rural Housing: Freezes Rural Housing Programs during FY 1988-89 at the FY 1987 level; authorizes the Secretary to insure and guarantee up to $2.033 billion in loans annually in FY 1988-89.

Other Program Extensions: Authorizes in FY 1988-89 the Solar Energy and Energy Conservation Bank and the Neighborhood Development Demonstration Program at such sums as necessary, HUD policy development and research at $17 million annually, and the Neighborhood Reinvestment Corporation at $19 million annually; authorizes lower income housing projects at such sums as necessary in FY 1987 and $1.6 billion annually in 1988-89 and the Congregate Housing Program at $7 million in FY 1988 and $13 million in 1989.

Resident Management/Ownership: Allows public housing project residents to form resident management corporations to assume the administrative and maintenance responsibilities of their projects; provides $1.5 million for technical assistance with a project limit of $100,000; gives lower income families residing in public housing projects an opportunity to purchase their dwelling units through a qualifying resident management corporation.

Fair Housing: Establishes a Fair Housing Initiatives Demonstration Program, authorized at $5 million annually in FY 1988-89, under which the Secretary may enter into contracts or cooperative agreements with public and private entities to carry out programs to prevent or eliminate discriminatory housing practices.

Nehemiah Housing Opportunity Grants: Establishes a new program, authorized at such sums as necessary in FY 1988-89, under which grants may be made to nonprofit corporations for noninterest-bearing second mortgage loans to median income families for the purchase of newly constructed or substantially rehabilitated homes.

NOTE: On December 21, 1987, the Senate agreed to the House amendment with amendments embodying a House-Senate compromise on the bill. The House on December 22, 1987, concurred in these amendments thus clearing the bill for the President. Prior to this action, a motion to waive the Budget Act in order to consider the conference report was defeated in the Senate—see Vote Nos. 376, 379, and 380.

Bill passed. Yeas 71 (51D-20R), Nays 27 (2D-25R), Not Voting 2 (1D-1R). March 31, 1987.

SENATE PROCEDURE

VOTE NO. 50

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 88 (53D-35R), Nays 9 (1D-8R), Not Voting 3 (3R). March 31, 1987.

FEDERAL-AID HIGHWAY AUTHORIZATION (H.R. 2)

VOTE NO. 51

Reconsideration of the vetoed bill which authorizes, for FY 1987-91, $68.6 billion from the Highway Trust Fund for the Federal-aid Highway Program and $18.9 billion for the Federal Urban Mass Transit Program; and permits States to raise the speed limit to 65 miles per hour on interstate highway segments located outside any urbanized area having a population of 50,000 or more.

Veto sustained. Yeas 65 (52D-13R), Nays 35 (2D-33R). April 1, 1987.

VOTE NO. 52

Byrd motion to table the Dole motion to indefinitely postpone the Byrd motion to reconsider Vote No. 51 by which the Senate sustained the President's veto.

Motion to table agreed to. Yeas 61 (54D-7R), Nays 39 (39R). April 1, 1987.

Voted

VOTE NO. 53

Dole motion to table the Byrd motion to reconsider Vote No. 51 by which the Senate sustained the President's veto.

Motion to table failed. Yeas 36 (36R), Nays 64 (54D–10R). April 1, 1987. -------

VOTE NO. 54

Byrd motion to table the Dole motion to postpone until 10:00 a.m., April 2, the Byrd motion to reconsider Vote No. 51 by which the Senate sustained the President's veto.

Motion to table agreed to. Yeas 62 (54D–8R), Nays 37 (37R), Not Voting 1 (1R). April 1, 1987. -------

VOTE NO. 55

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to Yeas 94 (53D–41R), Nays 6 (1D–5R). April 2, 1987. -------

VOTE NO. 56

Byrd motion to table the Dole motion to postpone until 5:00 p.m. April 3, the Byrd motion to reconsider Vote No. 51 by which the Senate sustained the President's veto.

Motion to table agreed to. Yeas 57 (53D–4R), Nays 41 (41R), Not Voting 2 (1D–1R). April 2, 1987. -------

VOTE NO. 57

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 88 (51D–37R), Nays 10 (1D–9R), Not Voting 2 (2D). April 2, 1987. -------

VOTE NO. 58

Byrd motion to table the Simpson motion to postpone until 12:00 noon, April 6, the Byrd motion to reconsider Vote No. 51 by which the Senate sustained the President's veto.

Motion to table agreed to. Yeas 57 (54D–3R), Nays 43 (43R). April 2, 1987. -------

VOTE NO. 59

Byrd motion to reconsider Vote No. 51 by which the Senate sustained the President's veto.

Motion to reconsider agreed to. Yeas 59 (54D–5R), Nays 41 (41R). April 2, 1987. -------

VOTE NO. 60

Reconsideration of Vote No. 51 by which the Senate sustained the President's veto of the bill which authorizes, for FY 1987-91, $68.6 billion from the Highway Trust Fund for the Federal-aid Highway Program and $18.9 billion for the Federal Urban Mass Transit Program; and permits States to raise the speed limit to 65 miles per hour on interstate highway segments located outside any urbanized area having a population of 50,000 or more.

NOTE: On March 27, 1987, the President vetoed the bill, insisting that funding for highway projects across the country was too high.

Veto overridden. Yeas 67 (54D–13R), Nays 33 (33R). April 2, 1987. -------

Became Public Law 100–17, without approval.

JOBS FOR EMPLOYABLE DEPENDENT PEOPLE (S. 514)

VOTE NO. 61

Passage of the bill which amends the Job Training Partnership Act to add a new title V, the Jobs for Employable Dependent Individuals (JEDI) Incentive Bonus program, under which each State would be entitled to the payment of a bonus (paid for out of Federal welfare savings resulting from this program) for successful job placements of recipients of certain education and training programs in excess of the number of such placements in FY 1986; makes eligible for the bonus heads of households who receive AFDC, SSI, or refugee assistance (under the Immigration and Nationality Act) and who meet either of two specified criteria and sets forth requirements that individuals must meet in order for a State to receive an incentive bonus for them.

JOBS FOR EMPLOYABLE DEPENDENT PEOPLE—Continued

Sets forth two methods for determining the amount of the placement bonus base.

Requires a governor to distribute 15 percent of the funds to participating State agencies for the cost of establishing and maintaining systems necessary for the operation of the JEDI program and the remaining funds to participating agencies, private industry councils, and service providers, including community-based organizations who contribute to the JEDI program.

Reallocation of Unspent Balances: Requires that JTPA Title IIA allocations be reduced in States with unexpended balances in excess of 20 percent of the funds available for the coming program year.

Program Evaluation: Requires the Secretary to submit a thorough evaluation of the JEDI Act within three years of enactment.

AFDC/SSI and Summer Youth Programs: Replaces the currently authorized Summer Youth Program with the Administration's proposal for a program allowing States and local areas to choose a mix of services, including establishment of a more intensive year-round program for AFDC or SSI recipients 14 to 21 years of age, and/or continuing the existing subsidized summer jobs program for economically disadvantaged youth.

Bill passed. Yeas 99 (53D–46R), Nays 0, Not Voting 1 (1D). April 2, 1987. -------

MEXICAN ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 92)

VOTE NO. 62

Pell motion to table the resolution which disapproves the President's certification, as required by Section 481(h) of the Foreign Assistance Act of 1961, that Mexico has cooperated fully in matters relating to drug interdiction and eradication efforts and in preventing and punishing the laundering of drug-related profits or monies.

Note: Under the Anti-Drug Abuse Act of 1986 (P.L. 99-570), the President is required to certify to Congress by March 1 of each year that 24 specified countries, which are recipients of U.S. aid, have in the past year cooperated fully with the U.S. in its effort to eradicate the drug problem or be subject to stiff sanctions, including a 50 percent reduction in U.S. foreign aid.

The Act further provides for congressional disapproval of any certification by passage of a joint resolution of disapproval, within 30 calendar days of its receipt, under expedited procedures. The President submitted the required certification with respect to Mexico on March 1. Because Congress did not act before the expiration of the 30-day period, or April 2, the disapproval resolution, if passed, would have had no punitive effect.

Motion to table agreed to. Yeas 49 (28D–21R), Nays 38 (19D–19R), Not Voting 13 (7D–6R). April 3, 1987. -------

PANAMANIAN ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 91)

VOTE NO. 63

Pell motion to table the resolution which disapproves the President's certification, as required by Section 481(h) of the Foreign Assistance Act of 1961, that Panama has cooperated fully in matters relating to drug interdiction and eradication efforts and in preventing and punishing the laundering of drug-related profits or monies.

Note: Under the Anti-Drug Abuse Act of 1986 (P.L. 99-570), the President is required to certify to Congress by March 1 of each year that 24 specified countries, which are recipients of U.S. aid, have in the past year cooperated fully with the U.S. in its effort to eradicate the drug problem or be subject to stiff sanctions, including a 50 percent reduction in U.S. foreign aid.

The Act further provides for congressional disapproval of any certification by passage of a joint resolution of disapproval, within 30 calendar days of its receipt, under expedited procedures. The President submitted the required certification with respect to Panama on March 1. Because Congress did not act before the expiration of the 30-day period, or April 2, the disapproval resolution has no punitive effect.

See further Vote No. 65 by which the Senate, on April 7, tabled a Helms amendment to make the disapproval resolution retroactive to before April 1, 1987.

Subsequently, the disapproval resolution was passed by voice vote.

Motion to table failed. Yeas 31 (20D–11R), Nays 58 (28D–30R), Not Voting 11 (6D–5R). April 3, 1987. -------

BAHAMIAN ANTI-DRUG EFFORT CERTIFICATION (S.J. Res. 90)

VOTE NO. 64

Pell motion to table the resolution which disapproves the President's certification, as required by Section 481(h) of the Foreign Assistance Act of 1961, that the Bahamas has cooperated fully in matters relating to drug interdiction and eradication efforts and in preventing and punishing the laundering of drug-related profits or monies.

NOTE: Under the Anti-Drug Abuse Act of 1986 (P.L. 99-570), the President is required to certify to Congress by March 1 of each year that 24 specified countries, which are recipients of U.S. aid, have in the past year cooperated fully with the U.S. in its effort to eradicate the drug problem or be subject to stiff sanctions, including a 50 percent reduction in U.S. foreign aid.

The Act further provides for congressional disapproval of any certification by passage of a joint resolution of disapproval, within 30 calendar days of its receipt, under expedited procedures. The President submitted the required certification with respect to the Bahamas on March 1. Because Congress did not act before the expiration of the 30-day period, or April 2, the disapproval resolution, if passed, would have had no punitive effect.

Motion to table agreed to. Yeas 54 (32D–22R), Nays 34 (16D–18R), Not Voting 12 (6D–6R). April 3, 1987. -------

DAIRY COMMISSION REPORT EXTENSION (H.R. 1123)

VOTE NO. 65

Leahy motion to table the Helms amendment which makes retroactive to before April 1, 1987, the disapproval of the President's certification (Vote No. 63), as required by Section 481(h) of the Foreign Assistance Act of 1961, that Panama has cooperated fully in matters relating to drug interdiction and eradication efforts and in preventing and punishing the laundering of drug-related profits or monies, thereby effectively cutting off 50 percent of U.S. aid to Panama for FY 1987.

NOTE: Subsequently, the Senate passed the House companion bill, H.R. 1123, after substituting the text with that of S. 410, as amended.

Motion to table agreed to. Yeas 49 (35D–14R), Nays 48 (16D–32R), Not Voting 3 (3D). April 7, 1987. -------

Became Public Law 100-28.

FTC AUTHORIZATION (S. 677)

VOTE NO. 66

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 91 (51D–40R), Nays 7 (2D–5R), Not Voting 2 (1D–1R). April 8, 1987. -------

VOTE NO. 67

Metzenbaum-Rockefeller-Simon modified amendment which requires the FTC to conduct, and report to Congress within one year, a comprehensive study of: (1) the use of potentially unfair or misleading practices in the sale of health insurance to the elderly (MediGap), the relationship of their premiums to the claims actually paid, and the effectiveness of the States in their regulation; and (2) the increase in property and casualty insurance rates to small business owners, local governments, physicians, dentists, and child care centers in the past seven years, focusing on the extent and reasons for such increases, their relationship to actual costs, and the degree of competition for such coverage, and, if the FTC considers it necessary, rate increases for self-insurers may be included.

Amendment agreed to. Yeas 80 (51D–29R), Nays 18 (3D–15R), Not Voting 2 (2R). **April 8, 1987.** -------

FTC AUTHORIZATION—Continued

VOTE NO. 68

Gore motion to table the Boschwitz amendment which deletes the provision that denies the FTC the authority to conduct any study or investigation of agricultural marketing orders.

Motion to table agreed to. Yeas 71 (47D–24R), Nays 26 (6D–20R), Not Voting 3 (1D–2R). April 8, 1987. --------

VOTE NO. 69

Passage of the bill which reauthorizes the Federal Trade Commission (FTC) for three years, through FY 1990, at a funding level of $69.85 million in FY 1988, $70.85 million in 1989, and $71.85 million in 1990.

Unfair Methods of Competition: Extends application of the "State action" antitrust immunity developed by the courts in litigation under the Sherman Act to the FTC's "unfair methods of competition" cases.

Agricultural Cooperatives: Makes permanent the temporary prohibitions on FTC studies or investigations of agriculture marketing orders, or studies, investigations, or prosecutions of agricultural cooperatives for conduct falling within the limited antitrust immunity under the Capper–Volstead Act.

Compensation in Proceedings: Repeals FTC's authority to compensate public participants in its rulemaking proceedings.

Knowing Violations of Orders: Codifies the U.S. District court decision in *United States* v. *Braswell, Inc.*, that a defendant may challenge in court the legal basis for FTC's prior order.

Prevalence: Permits the FTC to issue a notice of proposed rulemaking only where it has reason to believe that the challenged conduct is prevalent in the industry.

Effective Date of Orders: Terminates the present requirement for an automatic stay of FTC cease-and-desist orders pending appeal, and, with some exceptions, provides instead that FTC orders may be stayed by the FTC itself or by the courts (within their discretion) during the appeal process.

Civil Investigative Demands: Extends the "civil investigative demand" document procedures to antitrust investigations conducted by the FTC.

Definition of Unfair Acts or Practices: Circumscribes FTC's consumer unfairness authority for both rulemaking and case-by-case adjudications.

Credit Unions: Exempts Federal credit unions, regulated by the National Credit Union Administration, from FTC jurisdiction on the same basis that banks and savings and loan institutions are now exempt.

Commercial Advertising: Makes permanent the temporary provision prohibiting FTC from initiating any new rulemaking proceeding which prohibits or otherwise regulates commercial advertising on the basis that it is an unfair act or practice.

Congressional Review of Rules: Provides for a 90-day congressional review of FTC rules and disapproval through enactment of a joint resolution; contains expedited procedures for Senate floor consideration of disapproval resolutions.

FTC Intervention: Prohibits funding of FTC intervention in Federal or State agency proceedings without prior notification to Congress.

Native American Arts and Crafts: Makes the selling of imitation American Indian art, crafts, or jewelry which do not contain a permanent marking, in English, of the name of the country of origin an unfair or deceptive act or practice or an unfair method of competition.

Regional Offices: Requires that $858,000 be redirected to FTC's regional offices of which at least $500,000 must come from the Economic Activities Mission and the Office of Policy Development; requires that regional offices be maintained at their present locations in FY 1988–90 at not less than the proposed FY 1988 budget submission to Congress.

Reports: Requires FTC to report semiannually to the Commerce Committees on its enforcement activities in the area of resale price maintenance, and on its enforcement activities in the area of predatory pricing.

Insurance Study: Requires the FTC to conduct, and report to Congress within one year, a comprehensive study of: (1) the use of potentially unfair or misleading practices in the sale of health insurance to the elderly (MediGap), and (2) the increase in property and casualty insurance rates to small business owners, local

governments, physicians, dentists, and child care centers in the past seven years.

Bill passed. Yeas 88 (52D–36R), Nays 9 (9R), Not Voting 3 (2D–1R). April 8, 1987.

HOMELESS ASSISTANCE (H.R. 558)

VOTE NO. 70

Byrd substitute amendment (for the Humphrey, et al., amendment which rolls back the salary of Members of Congress and top Federal officials, excluding Federal Judges, to the amount in effect prior to the March 1 increase) to direct the Secretary of the Senate to develop a form to assist any Senator who chooses to forego all or a portion of the pay raise which went into effect on March 1 for Members of Congress. (The Humphrey, et al., amendment fell as not germane when cloture was invoked—Vote No. 73.)

Amendment rejected. Yeas 30 (16D–14R), Nays 70 (38D–32R). April 8, 1987.

VOTE NO. 71

Byrd modified amendment (as a substitute for the Gramm, et al., amendment) to require that appropriations pursuant to this authorization be made only in accordance with the Budget Act which prohibits the consideration of any bill that would cause the deficit to exceed the levels established by the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings), thereby prohibiting appropriations for the bill in any amount which would increase the deficit for FY 1987.

Note: The modification made the commitment to the existing budget process more explicit and garnered the support of the sponsors of the original amendment.

Amendment agreed to. Yeas 100 (54D–46R), Nays 0. April 9, 1987.

VOTE NO. 72

Wallop, et al., amendment (to the Byrd-Dole substitute amendment) stating the sense of the Senate that the Secretary of State should not meet with the Soviet Foreign Minister in Moscow unless a thorough examination of the security situation in Moscow finds the facilities to be secure; and that, unless this determination can be made prior to April 13, the State Department should seek a change in venue to a location in which the U.S. can occupy secure facilities.

Amendment agreed to. Yeas 70 (34D–36R), Nays 30 (20D–10R). April 9, 1987.

VOTE NO. 73

Byrd, et al., motion to close further debate on the Byrd-Dole substitute amendment which authorizes funds for the homeless including funds for emergency food and shelter programs, health care and mental health services, and job training; establishes the Interagency Council on the Homeless; establishes a block grant program to provide emergency assistance for homeless chronically mentally ill individuals; requires each State to adopt and implement a plan to ensure that all homeless children are provided full and equal access to public education; amends the food stamp program to better serve the homeless; and increases funds for the Temporary Emergency Food Assistance Program (TEFAP).

Note: By this vote the Senate agreed to close further debate on the Byrd-Dole, et al., substitute. As a consequence, the Humphrey amendment (Vote No. 70) and two other amendments regarding pay and honoraria fell as not germane to the bill. Although Rule XXII requires that one day intervene between the offering of a cloture petition and a vote thereon, the Senate agreed by unanimous consent to vote the next day as a way of completing action on this emergency legislation before the Easter recess.

Cloture motion agreed to. Yeas 68 (44D–24R), Nays 29 (9D–20R), Not Voting 3 (1D–2R). April 9, 1987.

VOTE NO. 74

Byrd-Dole substitute amendment, as amended, which authorizes funds for the homeless including emergency food and shelter programs, health care and mental health services, and job training; establishes the Interagency Council on the Homeless; establishes a block grant program to provide emergency assist-

HOMELESS ASSISTANCE—Continued

ance for homeless chronically mentally ill individuals; requires each State to adopt and implement a plan to ensure that all homeless children are provided full and equal access to public education; amends the food stamp program to better serve the homeless; increases funds for the Temporary Emergency Food Assistance Program (TEFAP); requires that appropriations pursuant to this authorization be made only in accordance with the Budget Act, such that it shall not increase the deficit for FY 1987; and states the sense of the Senate that the Secretary of State should not meet with the Soviet Foreign Minister in Moscow unless a thorough examination of the security situation in Moscow finds the facilities to be secure, and unless such determination can be made prior to April 13, the State Department should seek a change in venue to a location in which the U.S. can occupy secure facilities.

NOTE: Subsequently, the Senate passed the bill by voice vote. See Vote No. 167 on the conference report.

Amendment agreed to. Yeas 85 (52D–33R), Nays 12 (1D–11R), Not Voting 3 (1D–2R). April 9, 1987. --------

FAIRNESS DOCTRINE (H.R. 742)

VOTE NO. 75

Passage of the bill which amends the Communications Act of 1934 to codify the Fairness Doctrine adopted by the Federal Communications Commission by regulation in 1949, which obligates broadcast licensees (1) to cover issues of public importance, and (2) to do so in a balanced fashion; and provides that the enforcement and application of the Fairness Doctrine shall be consistent with the FCC's rules and policies in effect on January 1, 1987.

NOTE: The President vetoed the bill on June 19, 1987. See Vote No. 154 whereby the Senate agreed to refer the veto message to the Commerce Committee.

Bill passed. Yeas 59 (41D–18R), Nays 31 (6D–25R), Not Voting 9 (7D–2R), Present 1 (1R). April 21, 1987. --------

WHEAT ACREAGE DIVERSION PROGRAM AND DISASTER ASSISTANCE (H.R. 1157)

VOTE NO. 76

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 88 (50D–38R), Nays 7 (1D–6R), Not Voting 5 (3D–2R). April 22, 1987. --------

VOTE NO. 77

Gramm amendment to require that appropriations made pursuant to this authorization shall be made in accordance with the Budget Act, which prohibits the consideration of any bill which would cause the deficit to exceed the levels established by the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings), thereby prohibiting appropriations in any amount which would increase the deficit for FY 1987.

Amendment agreed to. Yeas 96 (51D–45R), Nays 0, Not Voting 4 (3D–1R). April 22, 1987. --------

VOTE NO. 78

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 86 (50D–36R), Nays 11 (2D–9R), Not Voting 3 (2D–1R). April 22, 1987. --------

VOTE NO. 79

Boschwitz motion to waive section 303(a) of the Budget Act which prohibits the consideration of an amendment providing new budget authority for the fiscal year until the concurrent resolution for that fiscal year has been adopted) in order to allow the consideration of the Boschwitz, et al., amendment which establishes marketing loan programs for soybeans at $5.02 per bushel and sunflowers at no less than 8-1/2 cents per pound; precludes the Secretary of Agriculture from reducing the soybean price support level for the 1987 crop by more than five percent; and instructs the Secretary to offset any resulting additional outlays by selling rural development insurance fund loans

(for a total cost for 1987-92 of $3.28 billion—including losses from asset sales.

NOTE: Subsequently, the Senate passed the bill by voice vote and on May 12, 1987, agreed to the conference report also by voice vote.

Motion rejected. Yeas 33 (15D-18R), Nays 63 (38D-25R), Not Voting 4 (1D-3R). April 23, 1987. -------

Became Public Law 100-45.

STAR SCHOOLS PROGRAM (S. 778)

VOTE NO. 80

Passage of the bill which amends the Education for Economic Security Act to authorize a total of $100 million over the five-year period, FY 1988-92, for the Star Schools Program under which demonstration grants would be provided to partnerships (including educational institutions and agencies, and entities with telecommunications networking expertise) to use telecommunications technology (such as satellite, microwave, and cable technologies) to deliver courses to elementary and secondary schools in mathematics, science, foreign languages, and possibly other subject areas; limits annual appropriations to $60 million and individual grants to $20 million; makes Bureau of Indian Affairs Schools eligible for telecommunications partnerships; targets the program to disadvantaged students and areas with scarce resources or limited access to courses in these critical subjects by reserving 50 percent of annual appropriations for Chapter I eligible elementary and secondary school districts; requires an equitable geographic distribution of grants; requires the Office of Technology Assessment, upon request, to evaluate the telecommunications networks supported by the demonstration grants and to study the feasibility of building and launching a satellite dedicated to educational purposes.

Bill passed. Yeas 77 (51D-26R), Nays 16 (1D-15R), Not Voting 7 (2D-5R). April 23, 1987. -------

NOMINATION OF TRUSTEN F. CRIGLER TO BE AMBASSADOR TO SOMALIA

VOTE NO. 81

Confirmation of the nomination of Trusten F. Crigler, of Virginia, to be the Ambassador to Somalia.

Nomination confirmed. Yeas 65 (45D-20R), Nays 14 (14R), Not Voting 21 (9D-12R). April 24, 1987. -------

FIRST CONCURRENT BUDGET RESOLUTION, FY 1988 (H. Con. Res. 93)

VOTE NO. 82

Byrd motion to proceed to the consideration of the resolution.

Motion to proceed agreed to. Yeas 51 (51D), Nays 45 (45R), Not Voting 4 (3D-1R). April 28, 1987. -------

VOTE NO. 83

Chiles motion to table the Domenici appeal of the ruling of the Chair that the Chiles perfecting amendment (to the Chiles substitute amendment, which contains dual accounting estimates, is in order.

Motion to table agreed to. Yeas 50 (49D-1R), Nays 46 (3D-43R), Not Voting 4 (2D-2R). April 28, 1987. -------

VOTE NO. 84

Chiles perfecting amendment (to the Chiles substitute amendment) which contains $1,052.7 billion in total outlays and $919.0 billion in revenues resulting in a deficit of $133.7 billion; contains reconciliation instructions directing committees to take actions to reduce the deficit by $28.9 billion in FY 1988 and by

FIRST CONCURRENT BUDGET RESOLUTION, FY 1988—Continued

$171.5 billion over the next four years to achieve a balanced budget by FY 1991.

NOTE: The perfecting amendment was offered to "fill the amendment tree," and thus make the first vote occur on the Chiles budget. Specifically, the perfecting amendment changes the reporting date used in the Chiles amendment to the Byrd motion to recommit.

Amendment agreed to. Yeas 50 (49D–1R), Nays 49 (4D–45R), Not Voting 1 (1D). April 29, 1987. -------

NOMINATION OF ARNOLD L. RAPHEL TO BE AMBASSADOR TO PAKISTAN

VOTE NO. 85

Confirmation of the nomination of Arnold L. Raphel, of New Jersey, to be Ambassador to Pakistan.

Nomination confirmed. Yeas 76 (49D–27R), Nays 19 (2D–17R), Not Voting 5 (3D–2R). May 1, 1987. -------

NOMINATION OF MELISSA F. WELLS TO BE AMBASSADOR TO MOZAMBIQUE

VOTE NO. 86

Byrd motion to proceed to executive session to consider the nomination of Melissa Foelsch Wells, of New York, to be Ambassador to Mozambique.

Motion to proceed agreed to. Yeas 56 (43D–13R), Nays 28 (3D–25R), Not Voting 16 (8D–8R). May 1, 1987. -------

FIRST CONCURRENT BUDGET RESOLUTION, FY 1988 (H. Con. Res. 93)

VOTE NO. 87

Chiles perfecting amendment (Chiles II) (as a substitute for for the Chiles amendment) which increases defense spending to provide for zero real growth, upon the President's signature of the reconciliation bill which will make domestic cuts of $12.4 billion and provide for domestic initiatives of $3.8 billion, and increase revenues by $18.3 billion to pay for defense and reduce the deficit; allows REA loan prepayments of $7.2 billion, and an IRS initiative of $1.8 billion, resulting in an OMB–estimated FY 1988 deficit of $107.8 billion, a CBO–estimated deficit of $133.6 billion, and a balanced budget by 1991.

Amendment agreed to. Yeas 57 (54D–3R), Nays 42 (42R), Not Voting 1 (1R). May 6, 1987. -------

VOTE NO. 88

Dole–Byrd–Bentsen, et al., amendment (to the Chiles amendment, as amended—Vote No. 87) expressing the sense of the Senate that the assumptions underlying the revenue levels of this budget resolution will not be achieved by either raising or delaying the individual or corporate income tax rates passed in the Tax Reform Act of 1986.

Amendment agreed to. Yeas 90 (45D–45R), Nays 10 (9D–1R). May 6, 1987. -------

VOTE NO. 89

Chiles motion to table the Symms–Hecht–Pressler perfecting amendment (to the Chiles amendment, as amended—Vote No. 87) which reduces Function 150, International Affairs, by $483 million in BA and $450 million in outlays in FY 1988, $603 million in BA and $902 million in outlays in 1989, $604 million in BA and $888 million in outlays in 1990, $631 million in BA and $898 million in outlays in 1991; and provides for the following increases: Function 270, Energy, by $138 million in BA and $438 million in outlays in FY 1989, $128 million in BA and $413 million in outlays in 1990, and $147 million in BA and $414 million in outlays in 1991; Function 300, Natural Resources, by $8 million each in BA and outlays in FY 1988, and $11 million each in BA and outlays in each FY 1989–91; Function 550, Health, by $201 million each in BA and outlays in FY 1988, $204 million each in BA and outlays in 1989, $206 million each in BA and outlays in 1990, and in 1991; and Function 850, General Purpose

Fiscal Assistance by $274 million in BA and $241 million in outlays in FY 1988, $250 million in BA and $249 million in outlays in 1989, $259 million in BA and $258 million in outlays in 1990, and $267 million each in BA and outlays in 1991.

Motion to table agreed to. Yeas 60 (48D-12R), Nays 39 (6D-33R), Not Voting 1 (1R). May 6, 1987.

VOTE NO. 90

Chiles perfecting amendment (as a substitute for the Chiles amendment, as amended—Vote No. 87) containing the President's budget which increases defense spending by $7.8 billion, contains domestic cuts of $26.2 billion and domestic initiatives of $1.4 billion, and increases revenues by $18.1 billion, thereby resulting in a CBO-estimated FY 1988 deficit of $134.3 billion and an OMB-estimated deficit of $107.8 billion and missing the Gramm-Rudman-Hollings target by $26.3 billion in 1988 (using CBO economic assumptions) and each year thereafter, as well as missing a balanced budget in 1991 by $36.2 billion.

Amendment rejected. Yeas 18 (18R), Nays 81 (54D-27R), Not Voting 1 (1R). May 6, 1987.

VOTE NO. 91

Domenici perfecting amendment (as a substitute for the Chiles amendment, as amended—Vote No. 87) which increases defense spending by $2.8 billion in BA and $1.1 billion in outlays in FY 1988, but provides $4 billion less in BA over four years; cuts domestic spending by $16 billion in 1988; provides for asset sales of $4.4 billion; and provides for $8 billion in revenue increases in 1988 and $61 billion over 1988-91, thereby resulting in a CBO-estimated FY 1988 deficit of $133.6 billion and an OMB-estimated deficit of $107.8 billion.

Amendment rejected. Yeas 29 (29R), Nays 70 (54D-16R), Not Voting 1 (1R). May 6, 1987.

VOTE NO. 92

Chiles motion to table the Roth-Domenici-Quayle perfecting amendment (to the Chiles amendment, as amended—Vote No. 87) stating the sense of the Congress that a biennial budget and appropriations process would provide greater stability for financial markets, focus congressional attention on national fiscal policy, create an orderly process for consideration of important spending decisions, promote better accountability, and improve the operations and effectiveness of Congress; and that Congress should enact such a budget and appropriations process this year.

Motion to table agreed to. Yeas 53 (49D-4R), Nays 45 (5D-40R), Not Voting 2 (2R). May 6, 1987.

VOTE NO. 93

Chiles motion to table the Chafee-Durenberger-Heinz perfecting amendment (to the Chiles amendment, as amended—Vote No. 87) which restores $1 billion in Medicare cuts and adds $1 billion in Medicaid funding for FY 1988.

Motion to table agreed to. Yeas 69 (49D-20R), Nays 29 (4D-25R), Not Voting 2 (1D-1R). May 6, 1987.

VOTE NO. 94

Chiles motion to table the Murkowski-Stevens, et al., perfecting amendment (to the Chiles amendment, as amended—Vote No. 87) which increases the Veterans Benefits and Services Function 700 by $50 million in BA and $100 million in outlays in FY 1988, offset by reductions of the same amount in the General Government Function 800 (assuming the elimination of all funding to implement campaign financing reform).

Motion to table agreed to. Yeas 50 (50D), Nays 48 (3D-45R), Not Voting 2 (1D-1R). May 6, 1987.

VOTE NO. 95

Chiles motion to table the Evans, et al., perfecting amendment (to the Chiles amendment, as amended—Vote No. 87) which increases the Energy Function 270 Natural Resources and Environment Function 300, and General Purpose Fiscal Assistance Function 850 by almost $400 million in outlays in FY 1988; and offsets this increase and presumes an additional deficit reduction of $2.1 billion in outlays by cutting the International Affairs Function 150 by $2.5 billion (by presuming an advance repayment and lowered refinancing of foreign military sales loans).

Motion to table agreed to. Yeas 57 (49D-8R), Nays 41 (4D-37R), Not Voting 2 (1D-1R). May 6, 1987.

FIRST CONCURRENT BUDGET RESOLUTION, FY 1988—Continued

VOTE NO. 96

Chiles motion to table the Grassley perfecting amendment (to the Chiles amendment, as amended—Vote No. 87) which decreases Function 50 defense spending by $6 billion in budget authority and $2 billion in outlays in FY 1988, and by $2 billion in outlays in each FY 1989-90; and decreases revenues by a corresponding $2 billion in each of these three years.

Motion to table agreed to. Yeas 82 (43D-39R), Nays 16 (10D-6R), Not Voting 2 (1D-1R). May 6, 1987. --------

VOTE NO. 97

Adoption of the concurrent resolution which sets forth the recommended levels of total new budget authority, outlays, and revenues for the U.S. government for FY 1988 with a provision that would provide for an increase in defense spending to the inflation-adjusted zero real growth level if a reconciliation package is enacted that raises an additional $7 billion annually in revenues to cover the increase.

Deficits: Assumes deficits, using CBO and OMB economic and technical estimates, as follows: CBO—$133.6 billion in FY 1988, $105.3 billion in 1989, and $56.3 billion in 1990, with a surplus of $2.7 billion in 1991; OMB—107.8 billion in FY 1988, $80.2 billion in 1989, and $33.6 billion in 1990, with a surplus of $33.6 billion in 1991

Revenues: Directs the Finance Committee to report changes in laws to increase revenues by $90.8 billion over the four-year period FY 1988-91—$11.3 billion in FY 1988, $23.5 billion in 1989, $23.5 billion in 1990, and $32.5 billion in 1991; assumes additional revenues of $11.15 billion over the four-year period from adoption of the President's IRS initiative to increase tax collections, auditing and enforcement activities; and anticipates receipt of $7.2 billion from the prepayment of REA loans in FY 1988; provides for an increase in defense spending if the Finance Committee reports changes that would raise an additional $7 billion each year to pay for the increase.

Defense: Provides for an inflation-adjusted zero real growth level in defense spending if legislation is enacted that raises an additional $7 billion in revenues each year to pay for the increase.

Domestic Programs: Contains net cuts of $8.6 billion in FY 1988, $12.5 billion in 1999 $19.8 billion in 1990, and $25.7 billion in 1991 and funding for new initiatives in education, science, and job training of $3.8 billion in FY 1988, $7.6 billion in 1989, $10.0 billion in 1990, and $12.3 billion in 1991.

Reconciliation: Directs eight Senate authorizing committees to report legislation by May 14, 1987, to reduce spending in programs within their respective jurisdictions to achieve outlay savings of $7.9 billion in FY 1988, $10.3 billion in 1989, $14.5 billion in 1990, and $17.5 billion in 1991; contains increased contributions (Agriculture) totaling $7.2 billion in FY 1988.

Deficit Reduction Account: Expresses the sense of the Congress that the appropriate committees should report legislation to create a deficit reduction account into which would be deposited any new revenues collected as a result of reconciliation and which would be used to retire outstanding debt obligations of the U.S. and would be unavailable for appropriation; and that revenue increases resulting from reconciliation would not be effective for any year in which congressional committees exceeded their spending levels.

Sale of Government Assets: Specifies that the sale of government assets should not be counted for purposes of deficit reduction in the current fiscal year or for purposes of allowing further spending in the current year—asset sales receipts would be available solely to reduce the national debt.

Loan Prepayment: Prevents proceeds from the prepayment (when authorized) of REA loans from being used for new spending.

Reserve Funds: Creates reserve funds for the anticipated welfare reform initiative (child care and job training) and for a deficit neutral medicare catastrophic insurance initiative.

Credit Budget FY 1988-91: Includes non-binding credit levels of $34.0 billion in FY 1988, $32.3 billion in 1989, $31.0 billion in 1990, and $30.1 billion in 1991 for new direct loan obligations, and $156.5 billion in FY 1988, $150.4 billion in 1989, $158.1 billion in 1990, and $165.4 billion in 1991 for new primary loan guarantee commitments.

NOTE: See Vote No. 157 on the conference report.

Concurrent resolution agreed to. Yeas 56 (53D–3R), Nays 42 (42R), Not Voting 2 (1D–1R). May 6, 1987.

SUPPLEMENTAL APPROPRIATIONS, 1987 (H.R. 1827)

VOTE NO. 98

Byrd motion to waive sections 302(f), 303(a), and 311(a) of the Budget Act to allow the consideration of the bill.

NOTE: Section 302(b) prohibits consideration of legislation providing budget authority (BA) or outlays in excess of the subcommittee's allocation. Section 303(a) prohibits consideration of legislation providing new BA, change in revenues, change in public debt, new entitlement authority, or new credit authority for a fiscal year until the budget resolution for that year has been agreed to. Section 311(a) prohibits consideration of legislation which would exceed outlay ceiling, or revenue floor, or would cause the deficit to exceed the maximum deficit amount.

Motion rejected. Yeas 51 (42D–9R), Nays 48 (11D–37R), Not Voting 1 (1D). May 7, 1987.

GI BILL CONTINUATION (H.R. 1085)

VOTE NO. 99

Passage of the bill which provides for the indefinite continuation of the new GI bill's programs of educational assistance for members and veterans of the All-Volunteer Force (under chapter 30, Title 38) and the Selected Reserve (under chapter 106, Title 10) beyond the current June 30, 1988, date for closing off programs to new participants; provides for vocational readjustment; and restores lost educational opportunities to those service men and women who served on active duty after June 30, 1985.

NOTE: The bill was cleared for the President on May 13, 1987, after the Senate agreed to the House amendment to the Senate amendment to the stated purposes of the Act.

Bill passed. Yeas 89 (49D–40R), Nays 0, Not Voting 11 (5D–6R). May 8, 1987.

Became Public Law 100–48.

SUPPLEMENTAL APPROPRIATIONS, 1987 (H.R. 1827)

VOTE NO. 100

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

NOTE: While it was the intention of Majority Leader Byrd to move to reconsider the motion to waive the Budget Act to allow consideration of this bill (Vote No. 98), he declined to do so until, he stated, some support was evident from the White House for this measure requested by the President. The Chair sustained the Gramm point of order that it would result in an increase in outlays exceeding the FY 1987 ceiling, and therefore was out of order.

Motion for attendance agreed to. Yeas 89 (50D–39R), Nays 5 (5R), Not Voting 6 (4D–2R). May 12, 1987.

SENATE PROCEDURE

VOTE NO. 101

Byrd motion to adjourn for one minute.

NOTE: The Majority Leader moved to adjourn the Senate so that upon reconvening he could move, during the first two hours of the legislative day, to take up the Defense Authorization bill without debate on that motion being in order.

Motion to adjourn agreed to. Yeas 48 (48D), Nays 44 (44R), Not Voting 8 (6D–2R). May 13, 1987.

SENATE PROCEDURE—JOURNAL APPROVAL

VOTE NO. 102

Byrd motion to approve the Journal to date.

NOTE: Before the result of this vote was announced, Senator Warner stated that he declined to vote because he had not read the Journal. The Chair responded that a Senator may not decline to vote without leave granted and permission to do so. The Minority Leader then asked for the yeas and nays and Vote No. 103 occurred.

Motion agreed to. Yeas 65 (54D-11R), Nays 35 (35R). May 13, 1987.

VOTE NO. 103

Question of the Chair as to whether it is permissible for the Senator from Virginia (Mr. Warner) to decline his right to vote on the motion to approve the Journal for the reason that he had not read the Journal.

NOTE: Before the result of this vote was announced, Senator Quayle stated that he declined to vote because he did not believe a Senator should be compelled to vote. The Minority Leader asked for the yeas and nays and Vote No. 104 occurred.

Request to deny to vote rejected. Yeas 44 (44R), Nays 56 (54D-2R). May 13, 1987.

VOTE NO. 104

Question of the Chair as to whether the Senator from Indiana (Mr. Quayle) may decline to vote (on the previous vote—Vote No. 103) for the reason that a Senator should not be compelled to vote.

NOTE: Before the result of this vote was announced, Senator Symms stated that he declined to vote because he did not believe a Senator should be compelled to vote. Senator Dole asked for the yeas and nays and Senator Byrd made a point of order that the request to be excused from voting was made for the purpose of delaying the conclusion of the vote approving the Journal and therefore was out of order. The Chair ruled that the point of order during a rollcall vote was not in order, whereupon Senator Byrd appealed the Chair's ruling. The Chair ruled that in the past an appeal has been denied only in the most extraordinary circumstances and that the Chair did not feel that these were extraordinary circumstances, and the point of order was not in order. Upon the suggestion of the absence of a quorum by Senator Dole, the Chair held that a quorum call was not in order during a rollcall vote. Senator Dole appealed the ruling and asked for the yeas and nays (Vote No. 105).

Request to deny to vote rejected. Yeas 44 (44R), Nays 56 (54D-2R). May 13, 1987.

VOTE NO. 105

Byrd motion to table the Dole appeal of the ruling of the Chair that a quorum call is not in order during a rollcall vote.

NOTE: Before the result of this vote was announced, Senator Dole stated that he declined to vote and began to state his reasons under Rule XII. A call for regular order brought a statement by the Chair that the question recurs on the Byrd appeal of the ruling of the Chair that a point of order is not in order during a rollcall vote. Senator Dole moved to table that appeal (Vote No. 106).

Motion to table agreed to. Yeas 54 (54D), Nays 46 (46R). May 13, 1987.

VOTE NO. 106

Dole motion to table the Byrd appeal of the ruling of the Chair that a point of order is not in order during a rollcall vote on a motion to approve the Journal to date.

NOTE: Before the result of this vote was announced, several Senators stood up to change their votes and Senator Dole stated that he had been prevented from stating his reasons for declining to vote in violation of Rule XII. After a heated exchange, the Chair ruled the Senator out of order, stating that he had adequately stated his reasons for declining to vote, having had sufficient time to do so. Senator Dole appealed the ruling and asked for the yeas and nays (Vote No. 107).

Motion to table failed. Yeas 46 (46R), Nays 54 (54D). May 13, 1987.

Voted

VOTE NO. 107

Dole appeal of the ruling of the Chair that Senator Dole had adequately stated his reasons for declining to vote and that a Senator may not continue "forever" in stating such reasons. The question is: "Shall the decision of the Chair stand as the judgment of the Senate?"

NOTE: After this vote, all time had expired during which a motion to proceed to the consideration of the Defense Authorization bill would be nondebatable. If the motion to proceed could have been made during the first two hours, no Senator could have filibustered it. The question then recurred on the Byrd appeal of the Chair's ruling which had not been tabled on the previous vote (No. 106).

Decision of chair sustained. Yeas 55 (54D–1R), Nays 45 (45R). May 13, 1987.

VOTE NO. 108

Byrd appeal of the ruling of the Chair that a point of order is not in order during a rollcall vote on a motion to approve the Journal to date. The question is: "Shall the decision of the Chair stand as the judgment of the Senate?"

Decision of chair not sustained. Yeas 46 (46R), Nays 54 (54D). May 13, 1987.

SAVINGS AND LOAN (FSLIC) RECAPITALIZATION (H.R. 27)

VOTE NO. 109

Proxmire amendment (as a substitute for the bill) to insert the provisions of S. 790 as passed by the Senate on March 27, 1987 (Vote No. 44), which recapitalizes the Federal Savings and Loan Insurance Corporation (FSLIC) with new borrowing authority of $7.5 billion for a two-year period (to be capitalized through bonds issued by a new financing corporation for sale to private investors and backed by Federal Home Loan Banks, with borrowing authority limited to $3.75 billion annually); closes the nonbank bank loophole as of March 5, 1987, and restricts the expansion of grandfathered nonbank banks; imposes a one-year moratorium on the expansion of securities, insurance, and real estate activities of banks or bank holding companies; allows emergency interstate bank acquisitions; requires outside limits on interest increases on adjustable rate mortgages; regulates consumer checkholds, and requires access to government check cashing services for all consumers; and streamlines credit union operations.

NOTE: See Vote No. 44 for the major provisions of the bill.

Amendment agreed to. Yeas 93 (53D–40R), Nays 3 (3R), Not Voting 4 (1D–3R). May 14, 1987.

VOTE NO. 110

Garn amendment striking Title I, which closes the nonbank bank loophole and prohibits nonbank banks from commencing new activities, and Title II, which imposes a moratorium, until March 1, 1988, on the expansion of securities, insurance, and real estate activities by banks and bank holding companies.

NOTE: Subsequently, the Senate passed the bill by voice vote and on August 4, 1987, agreed to the conference report—see Vote No. 226.

Amendment rejected. Yeas 37 (4D–33R), Nays 62 (50D–12R), Not Voting 1 (1R). May 14, 1987.

PUBLIC DEBT LIMIT EXTENSION (H.R. 2360)

VOTE NO. 111

Passage of the bill which increases the temporary public debt limit by $20 billion, from $2.3 trillion (expiring on May 15) to $2.32 trillion expiring on July 17, 1987.

NOTE: The permanent debt limit remains at $2.111 trillion.

Bill passed. Yeas 58 (33D–25R), Nays 36 (18D–18R), Not Voting 6 (3D–3R). May 14, 1987.

Became Public Law 100–40.

Voted

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 112

Ford, et al., motion to close further debate on the motion to proceed to the consideration of the bill.

Cloture motion rejected. Yeas 52 (49D–3R), Nays 36 (36R), Not Voting 12 (5D–7R). May 15, 1987. -------

VOTE NO. 113

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 91 (52D–39R), Nays 6 (6R), Not Voting 3 (2D–1R). May 19, 1987. -------

VOTE NO. 114

Ford, et al., second motion to close further debate on the motion to proceed to consideration of the bill.

Cloture motion rejected. Yeas 58 (53D–5R), Nays 41 (41R), Not Voting 1 (1D). May 19, 1987. -------

NOMINATION OF WILLIAM H. WEBSTER TO BE DIRECTOR OF CIA

VOTE NO. 115

Confirmation of the nomination of William H. Webster, of Missouri, to be Director of Central Intelligence.

Nomination confirmed. Yeas 94 (52D–42R), Nays 1 (1D), Not Voting 5 (1D–4R). May 19, 1987. -------

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 116

Byrd, et al., third motion to close further debate on the motion to proceed to consideration of the bill.

Cloture motion rejected. Yeas 59 (54D–5R), Nays 39 (39R), Not Voting 2 (2R). May 20, 1987. -------

SUPPLEMENTAL APPROPRIATIONS, 1987 (H.R. 1827)

VOTE NO. 117

Inouye-Kasten motion to table the Helms amendment which eliminates $257 million in funding for multilateral development banks.

Motion to table agreed to. Yeas 57 (36D–21R), Nays 38 (13D–25R), Not Voting 5 (5D). May 20, 1987. -------

VOTE NO. 118

Inouye motion to table the Pressler amendment—Vote No. 119.

Motion to table failed. Yeas 35 (29D–6R), Nays 58 (20D–38R), Not Voting 7 (5D–2R). May 21, 1987. -------

VOTE NO. 119

Pressler amendment which prohibits the use of any funds ($50 million) for assistance to any country within the Southern Africa Development Coordination Conference (SADCC) until the President certifies that such country has renounced the form of terrorism known as "necklacing" used against South African blacks and has provided assurances and is, according to the best information available to the U.S., making a concerted effort to prevent the operation within its territory of any organization which supports or will not renounce the practice of terrorism, including necklacing.

Amendment agreed to. Yeas 77 (39D–38R), Nays 15 (10D–5R), Not Voting 8 (5D–3R). May 21, 1987. -------

VOTE NO. 120

Byrd, et al., amendment which requires the Secretary of Defense to submit, in both classified and unclassified form, a report to Congress prior to the implementation of any agreement be-

tween the U.S. and Kuwait for U.S. military protection of Kuwaiti shipping.
Amendment agreed to. Yeas 91 (50D–41R), Nays 5 (1D–4R), Not Voting 4 (3D–1R). May 21, 1987. -------

VOTE NO. 121

DeConcini, et al., amendment stating the sense of the Senate condemning the Soviet-Cuban buildup in Angola and the human rights violations of the Angolan government and that further Cuban-Soviet presence in Angola will impede future positive relations with the U.S.; requesting the President to use the Export Administration Act to block U.S. business transactions which conflict with U.S. security interests in Angola; and requesting the Secretary of State to issue a report on future U.S.-Angola foreign policy, as well as business and trade policies between the two countries.
Amendment agreed to. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). May 21, 1987. -------

VOTE NO. 122

Danforth motion to table the Helms amendment which (1) prohibits the use of funds for providing drugs to prolong the life of an individual with AIDS by any State, unless that State requires testing negative for AIDS as a condition for granting a marriage license, and (2) adds AIDS to the list of dangerous contagious diseases for which an individual may be denied entry into the U.S.
Motion to table agreed to. Yeas 63 (40D–23R), Nays 32 (9D–23R), Not Voting 5 (5D). May 21, 1987. -------

VOTE NO. 123

Danforth motion to table the Committee amendment which appropriates $30 million for the emergency provision of drugs determined as prolonging the life of those who suffer from AIDS.
Note: Subsequently, the amendment was agreed to by voice vote.
Motion to table failed. Yeas 21 (4D–17R), Nays 74 (45D–29R), Not Voting 5 (5D). May 21, 1987. -------

VOTE NO. 124

Committee amendment which extends the public information period from June 1, 1987, to October 1, 1987, contained in the 1986 immigration law, thereby delaying implementation of the employer sanction provisions of the law.
Amendment agreed to. Yeas 48 (33D–15R), Nays 45 (15D–30R), Not Voting 7 (6D–1R). May 21, 1987. -------

VOTE NO. 125

Melcher amendment which requires the Secretary of Labor to develop and submit to Congress, using funds appropriated to the Department of Labor in FY 1987 and within 90 days of enactment, a Consumer Price Index which reflects the impact of inflation on elderly Americans.
Amendment agreed to. Yeas 95 (51D–44R), Nays 0, Not Voting 5 (3D–2R). May 27, 1987. -------

VOTE NO. 126

Heinz motion to waive section 311(a) of the Budget Act to allow the consideration of the Heinz, et al., modified amendment which provides an additional $10 million in budget authority and $2 million in outlays for community service employment for older Americans, offset by a $2 million reduction, from $38 million to $36 million, in foreign military credit sales for the Philippines, Morocco, and Kenya.
Note: Section 311(a) prohibits consideration of legislation which would increase the deficit above the level established in the budget.
Motion agreed to. Yeas 74 (44D–30R), Nays 21 (7D–14R), Not Voting 5 (3D–2R). May 27, 1987. -------

VOTE NO. 127

Heinz, et al., modified amendment which provides an additional $10 million in budget authority and $2 million in outlays for community service employment for older Americans, offset by a $2 million reduction, from $38 to $36 million, in foreign military credit sales for the Philippines, Morocco, and Kenya.
Amendment agreed to. Yeas 88 (50D–38R), Nays 7 (1D–6R), Not Voting 5 (3D–2R). May 27, 1987. -------

Voted

SUPPLEMENTAL APPROPRIATIONS, 1987—Continued

VOTE NO. 128

Dixon motion to waive section 311(a) of the Budget Act to allow the consideration of the Dixon, et al., amendment which provides $100 million for the Summer Youth Employment and Training Program offset by an equivalent reduction for the World Bank.

NOTE: Section 311(a) prohibits consideration of legislation which would increase the deficit above the level established in the budget.

Motion rejected. Yeas 33 (26D-7R), Nays 62 (25D-37R), Not Voting 5 (3D-2R). May 27, 1987. --------

VOTE NO. 129

Melcher, et al., modified amendment which imposes a moratorium until March 31, 1988, on the approval and issuance of all oil shale patents (except for 10 currently pending patents) by the Department of Interior unless Congress directs otherwise.

Amendment agreed to. Yeas 94 (51D-43R), Nays 1 (1R), Not Voting 5 (3D-2R). May 27, 1987. --------

VOTE NO. 130

Harkin motion to table the DeConcini motion to reconsider Vote No. 124 by which the Senate adopted the Committee amendment delaying implementation of the employer sanctions of the immigration act until October 1, 1987.

M. Yeas 47 (33D-14R), Nays 43 (16D-27R), Not Voting 9 (5D-4R), Live Pairs 1 (1R). May 28, 1987. --------

VOTE NO. 131

Grassley motion to waive section 311(a) of the Budget Act to allow the consideration of the Dole-Grassley, et al., amendment which accelerates deficiency payments for the 1986 corn crop by making $2.77 billion available now rather than on October 1, 1987.

NOTE: Section 311(a) prohibits consideration of legislation which would increase the deficit above the level established in the budget.

Motion rejected. Yeas 33 (14D-19R), Nays 60 (36D-24R), Not Voting 7 (4D-3R). May 28, 1987. --------

VOTE NO. 132

D'Amato motion to waive section 311(a) of the Budget Act to allow the consideration of the Cranston-D'Amato, et al., amendment which fully funds the Urgent Relief for the Homeless Act (H.R. 558) passed earlier this year, and transfers $20 million of VA funds to provide for homeless veterans.

NOTE: Section 311(a) prohibits consideration of legislation which would increase the deficit above the level established in the budget.

Motion rejected. Yeas 47 (29D-18R), Nays 46 (21D-25R), Not Voting 7 (4D-3R). May 28, 1987. --------

VOTE NO. 133

Dixon, et al., amendment stating the sense of the Senate that no funds provided under this Act may be used for the payment of severance pay to any employee of the World Bank.

Amendment agreed to. Yeas 90 (49D-41R), Nays 3 (1D-2R), Not Voting 7 (4D-3R). May 28, 1987. --------

VOTE NO. 134

Johnston motion to table the Symms, et al., amendment which strikes all provisions of the bill except $6.7 billion in supplemental appropriations for the Commodity Credit Corporation.

Motion to table agreed to. Yeas 61 (42D-19R), Nays 30 (7D-23R), Not Voting 9 (5D-4R). May 28, 1987. --------

VOTE NO. 135

Hatfield motion to table the Helms-Symms, et al., amendment which earmarks $5 million, of the $20 million in the bill for the Air Force, to continue the previously authorized retrofitting of stockpiled MIRV'd Minuteman III ICBM's into existing single-warhead Minuteman II silos.

Motion to table agreed to. Yeas 57 (45D-12R), Nays 32 (3D-29R), Not Voting 11 (6D-5R). May 28, 1987. --------

VOTE NO. 136

Johnston motion to table the Levin–Gramm motion to recommit the bill to the Appropriations Committee with instructions to report back to the Senate such changes, including deletions, reductions, rescissions, or deferrals, as may be necessary to make Title I (discretionary spending) deficit neutral; however, if the committee is unable to accomplish this through such measures, the committee should urge the Senate to consider legislation raising revenues to fund such programs, projects, and activities.

Motion to table agreed to. Yeas 52 (34D–18R), Nays 39 (15D–24R), Not Voting 9 (5D–4R). May 28, 1987.

VOTE NO. 137

Johnston motion to waive sections 302(f), 303(a), and 311(a) of the Budget Act in order to allow the consideration of the bill.

NOTE: Section 302(f) prohibits consideration of legislation providing budget authority (BA) or outlays in excess of the subcommittee's allocation. Section 303(a) prohibits consideration of legislation providing new BA, change in revenues, change in public debt, new entitlement authority, or new credit authority for a fiscal year until the budget resolution for that year has been agreed to. Section 311(a) prohibits consideration of legislation which would exceed the outlay ceiling or revenue floor, or would cause the deficit to exceed the maximum deficit amount established in the budget.

Motion rejected. Yeas 55 (37D–18R), Nays 34 (10D–24R), Not Voting 11 (7D–4R). May 29, 1987.

VOTE NO. 138

Melcher motion to waive sections 302(f), 303(a), and 311(a) of the Budget Act in order to allow the consideration of the Melcher amendment which transfers $1.4 million of unobligated FY 1985 and 1986 funds appropriated for section 311 of the Older Americans Act to be used for the Meals on Wheels Program in FY 1987.

NOTE: Section 302(f) prohibits consideration of legislation providing budget authority (BA) or outlays in excess of the subcommittee's allocation. Section 303(a) prohibits consideration of legislation providing new BA, change in revenues, change in public debt, new entitlement authority, or new credit authority for a fiscal year until the budget resolution for that year has been agreed to. Section 311(a) prohibits consideration of legislation which would exceed the outlay ceiling or revenue floor, or would cause the deficit to exceed the maximum deficit amount established in the budget.

Motion agreed to. Yeas 66 (40D–26R), Nays 16 (5D–11R), Not Voting 18 (9D–9R). May 29, 1987.

VOTE NO. 139

Melcher amendment which transfers $1.4 million of unobligated FY 1985 and 1986 funds appropriated for section 311 of the Older Americans Act to be used for the Meals on Wheels Program in FY 1987.

Amendment agreed to. Yeas 70 (38D–32R), Nays 5 (2D–3R), Not Voting 25 (14D–11R). May 29, 1987.

VOTE NO. 140

Johnston motion to reconsider Vote No. 137 by which the Senate rejected the Johnston motion to waive the Budget Act in order to allow the consideration of the bill.

Motion to reconsider agreed to. Yeas 66 (46D–20R), Nays 30 (7D–23R), Not Voting 4 (1D–3R). June 2, 1987.

VOTE NO. 141

Reconsideration of Vote No. 137 on the Johnston motion to waive the Budget Act in order to allow the consideration of the bill.

Motion agreed to. Yeas 64 (45D–19R), Nays 32 (8D–24R), Not Voting 4 (1D–3R). June 2, 1987.

VOTE NO. 142

Helms modified amendment which requires the President, by August 31, 1987, to add the AIDS virus to the list of dangerous, contagious diseases for which a person may be denied entry into the U.S. (including those seeking permanent resident status under the amnesty provisions of the new immigration law).

Amendment agreed to. Yeas 96 (53D–43R), Nays 0, Not Voting 4 (1D–3R). June 2, 1987.

SUPPLEMENTAL APPROPRIATIONS, 1987—Continued

VOTE NO. 143

Burdick motion to table the Gramm amendment which offsets additional funding for agricultural disaster assistance programs (CCC) and aid to the homeless by reducing from $2 billion to $1.5 billion the amount of loans that may be financed in FY 1987 by the Rural Housing Insurance Funds and directing the Secretary of Agriculture to sell a sufficient amount of Rural Development Insurance Fund loans to realize $70 million in revenues in FY 1987.

Motion to table agreed to. Yeas 68 (49D–19R), Nays 26 (3D–23R), Not Voting 6 (2D–4R). June 2, 1987.

VOTE NO. 144

Johnston motion to table the Gramm amendment which deletes $85 million for operations and maintenance for defense, $51 million for economic aid for Southern Africa, $23 million for Fish and Wildlife Management, $20 million for training and employment services, $30.6 million for agricultural research grants, $11 million for the Forest Service, $2.1 million for the Bureau of Land Management, $3.1 million for the Bureau of Indian Affairs, and $7.2 million for the Peace Corps, for total savings of $213 million in outlays and $325 million in budget authority.

Motion to table agreed to. Yeas 61 (47D–14R), Nays 33 (5D–28R), Not Voting 6 (2D–4R). June 2, 1987.

VOTE NO. 145

Passage of the bill which makes supplemental appropriations totaling $9,759,478,569 in new budget authority in FY 1987, of which $7,874,296,969 is for general program supplementals, $408,323,000 is for increased pay costs, $1,149,358,600 is for retirement contributions, and $327,500,000 is to fund the homeless initiative approved earlier this year; disapprove deferrals totaling $107,061,000; and rescinds $527,948,000 in previously appropriated funds.

U.S. Embassy in Moscow: Contains a number of the recommendations of the Select Committee on Intelligence with respect to security of the U.S. embassy in Moscow.

SDI: Includes $131 million for SDI research on advanced technologies for an Advanced Launch System (ALS) of which $38 million is transferred to NASA for its activities with respect to advanced engine and booster development.

Central American/Southern African Assistance: Earmarks the ESF funds for Central America as follows: $55 million for Guatemala, $55 million for Costa Rica, $60 million for Honduras, and $130 million for El Salvador of which $75 million is specifically for earthquake relief; earmarks the ESF funds for southern African states as follows: $37.5 million for member states of the Southern Africa Development Coordination Conference (SADCC) to carry out the most urgent sector projects of which at least 60 percent is for rehabilitation of rail services in the Northern Corridor, and $12.5 million for humanitarian assistance for disadvantaged South Africans or SADCC member states; prohibits use of funds for southern Africa until the President has provided an itemized accounting of all expenditures authorized for southern Africa under the Foreign Assistance Act of 1986 (P.L. 99-83) and P.L. 99-440 and, pursuant to these authorizations, subsequently appropriated; prohibits the use of funds for southern Africa for activities in Mozambique or Angola.

Rural Electrification Administration (REA): Permits REA borrowers who serve six or fewer customers per mile of line to refinance their debt with the Federal Financing Bank without a prepayment penalty.

Saccharin: Extends for five years the statutory exemption of saccharin from a possible FDA ban.

M-833 Anti-tank Shells: Prohibits the proposed sales of 1,200 rounds of Army M-833 antitank shells to Bahrain and 15,000 rounds to Saudi Arabia on the basis of the potential threat posed to Israel.

N-Reactor: Prohibits restart of the N-Reactor at the Hanford Reservation, Washington, until FY 1988.

Drug Testing of Federal Employees: Precludes implementation of the Federal employees drug testing program initiated under Executive Order No. 12564 until the Administration makes certain certifications.

Superconductor Supercollider: Prohibits DOE from using appropriated funds to implement its proposal dealing with financial or other incentives to ensure that the site for the superconductor supercollider is based on the best location.

Necklacing: Prohibits assistance to countries aiding organizations supporting "necklacing."

Kuwaiti Shipping: Requires the Secretary of Defense to report to Congress on security arrangements in the Persian Gulf before implementing any agreement with Kuwait for U.S. military protection of Kuwaiti shipping.

Angola: Condemns the Soviet-Cuban buildup in Angola and the human rights violations of the Angolan government.

Employer Sanctions: Delays implementation of the employer sanctions of the immigration bill until October 1, 1987.

Older Americans CPI: Requires the Secretary of Labor to develop and publish a consumer price index which reflects the impact of inflation on goods and services purchased by elderly Americans.

World Bank: Expresses the sense of the Senate that funds under this Act may not be used for the payment of severance pay to any employee of the International Bank for Reconstruction and Development (World Bank).

Gramm-Rudman-Hollings: Expresses the sense of the Senate that expenditures in the bill, which exceed the requirements of the Budget Act shall, during this calendar year, be offset by rescissions of expenditures, program reductions, or other legislative action sufficient to provide funds.

AIDS: Requires the President, by August 31, 1987, to add AIDS to the list of dangerous, contagious diseases for which a person may be denied entry to the U.S.

NOTE: The Senate agreed to the conference report on the bill on July 1, 1987, by voice vote. As enacted, the bill makes supplemental appropriations totaling $9,377,119,976 in FY 1987. See Vote No. 176 for a vote on an amendment filed in disagreement.

Bill passed. Yeas 71 (46D-25R), Nays 23 (6D-17R), Not Voting 6 (2D-4R). June 2, 1987.

Became Public Law 100-71.

ECONOMIC SUMMIT AT VENICE (S. Res. 225)

VOTE NO. 146

Adoption of the resolution stating the sense of the Senate that the President should encourage the allies at the impending Venice Economic Summit to cooperate in diplomatic and military measures to ensure Western security interests in the Persian Gulf, and that the U.S. should seek commitments from: (1) Germany and Japan to reduce their trade surpluses by substantially increasing their imports; (2) the European Community and Japan to liberalize their agricultural import policies; and (3) other participants at the summit to contribute and cooperate with the U.S. and international efforts, particularly those of the World Health Organization, to combat and prevent the spread of AIDS.

Bill passed. Yeas 90 (48D-42R), Nays 1 (1D), Not Voting 9 (5D-4R). June 4, 1987.

OZONE RESOLUTION (S. Res. 226)

VOTE NO. 147

Adoption of the resolution stating the sense of the Senate that the President should strongly endorse the U.S.' original position in ongoing international negotiations to protect the earth's ozone layer and continue to aggressively seek an immediate freeze in the production of major ozone-depleting chemicals at 1986 levels, an automatic reduction of at least 50 percent in the production of such chemicals, and their virtual elimination; and further states that any agreement should provide for regularly scheduled assessments of scientific, economic, and technological factors.

Resolution agreed to. Yeas 80 (44D-36R), Nays 2 (2R), Not Voting 18 (10D-8R). June 5, 1987.

CAMPAIGN FINANCING REFORM (S. 2)

VOTE NO. 148

Byrd, et al., motion to close further debate on the committee substitute for the bill.

Cloture motion rejected. Yeas 52 (50D-2R), Nays 47 (3D-44R), Not Voting 1 (1D). June 9, 1987.

Voted

CAMPAIGN FINANCING REFORM—Continued

VOTE NO. 149

Byrd motion to waive section 303 of the Budget Act to allow consideration of the bill.

Note: Section 303 creates a point of order against legislation providing new budget authority for a fiscal year for which the budget resolution has not been adopted

Motion agreed to. Yeas 46 (45D-1R), Nays 42 (4D-38R), Not Voting 11 (4D-7R), Live Pairs 1 (1D). June 11, 1987. -------

VOTE NO. 150

Matsunaga, et al., second motion to close further debate on the committee substitute for the bill.

Cloture motion rejected. Yeas 49 (47D-2R), Nays 46 (3D-43R), Not Voting 5 (4D-1R). June 16, 1987. -------

VOTE NO. 151

Byrd, et al., third motion to close further debate on the committee substitute for the bill.

Cloture motion rejected. Yeas 51 (49D-2R), Nays 47 (3D-44R), Not Voting 2 (2D). June 17, 1987. -------

VOTE NO. 152

Byrd, et al., fourth motion to close further debate on the committee substitute for the bill.

Cloture motion rejected. Yeas 50 (48D-2R), Nays 47 (3D-44R), Not Voting 3 (3D). June 18, 1987. -------

VOTE NO. 153

Adams, et al., fifth motion to close further debate on the committee substitute for the bill.

Cloture motion rejected. Yeas 45 (43D-2R), Nays 43 (3D-40R), Not Voting 12 (8D-4R). June 19, 1987. -------

FAIRNESS DOCTRINE (S. 742)

VOTE NO. 154

Hollings motion to refer the veto message on the bill to the Commerce Committee.

Motion to refer agreed to. Yeas 53 (50D-3R), Nays 45 (3D-42R), Not Voting 1 (1D), Present 1 (1R). June 23, 1987. -------

FIRST CONCURRENT BUDGET RESOLUTION, FY 1988 (H. Con. Res. 93)

VOTE NO. 155

Chiles motion to table the D'Amato motion to refer the conference report to the Finance Committee.

Motion to table agreed to. Yeas 56 (52D-4R), Nays 43 (1D-42R), Not Voting 1 (1D). June 24, 1987. -------

VOTE NO. 156

Domenici appeal of the ruling of the Chair that the Domenici point of order that the conferees exceeded the scope of their authority by including a reconciliation instruction to the Finance Committee to report a debt limit bill which contains the debt level established in the conference version of the budget resolution is not well taken. The question is: "Shall the decision of the Chair stand?"

Note: In overruling the point of order, the Chair stated that the Senate conferees were authorized to agree to a conference report that contains provisions germane to any provision in either the Senate or House version and that under the precedents of the Senate, the term "germane" as it applies to material in a conference report means any matter not entirely irrelevant to the subject matter contained in either version. The budget resolution as it passed the Senate contained an appropriate figure for the public debt limit and reconciliation instructions to the Finance Committee. Therefore, it is not entirely irrelevant to instruct the Finance Committee to report a debt limit bill.

Decision of chair sustained. Yeas 54 (51D-3R), Nays 45 (2D-43R), Not Voting 1 (1D). June 24, 1987. -------

VOTE NO. 157

Adoption of the conference report on the resolution which sets forth recommended levels of total new budget authority, outlays, and revenues for the U.S. government for FY 1988.

Deficits: Assumes deficits, using CBO and OMB economic and technical estimates, as follows: CBO—$133.6 billion in FY 1988, $105.3 billion in 1989, and $56.3 billion in 1990, with a $2.7 billion surplus in 1991; OMB—107.8 billion in FY 1988, $80.2 billion in 1989, and $33.6 billion in 1990, with a $33.6 billion surplus in 1991.

Revenues: Includes $19.3 billion in additional revenues for 1988, and $64.3 billion over the three-year period FY 1988-90; creates a deficit reduction trust fund into which all new revenues will be deposited; expresses the sense of the Senate that the assumptions underlying these revenue levels will not be achieved by raising or delaying the individual or corporate income tax rates enacted in the Tax Reform Act of 1986; contains an IRS initiative which produces savings of $1.8 billion.

Defense: Includes a two-tier "pay for defense" program as follows: a low tier which provides a freeze in budget authority at 1987 levels ($289 billion in BA and $284 billion in outlays), and a high tier which allows an inflation adjustment to zero real growth ($296 billion in BA and $290 billion in outlays) if the reconciliation bill is enacted.

Domestic Programs: Increases medicaid by $600 million; includes $800 million for NIH and AIDS research; increases funding for assistance to the homeless, WIC, the science and technology programs of the NSF, NASA, and Department of Energy, key environmental programs including Superfund and clean coal technology, and education programs; includes additional outlays for the Job Corps; provides for a 3 percent pay raise for Federal workers; provides for all scheduled within-grade pay increases and continued availability of "lump sum" retirement option; assumes full COLA's for civil service, railroad, military retirees, and social security recipients; fully funds veterans medical care, including inflation increases, and assumes full COLA's for veterans compensation and pension programs; assumes funding at current levels for community development programs; saves $1.2 billion in farm programs in 1988; provides funding for the recently-enacted highway bill; allows room for significant increases for air safety programs and for enactment of the Senate campaign financing bill; includes $250 million for war against drugs and law enforcement; reduces foreign assistance programs by $1.3 billion below the baseline in budget authority.

Reserve Funds: Creates reserve funds for the anticipated deficit neutral welfare reform initiative (child care and job training) and for a deficit neutral medicare catastrophic insurance initiative.

Reconciliation: Directs nine Senate authorizing committees to report by July 28, 1987, legislation within their respective jurisdictions to achieve total outlay savings over the three-year period, FY 1988-90, of $23.007 billion—$3.976 billion in FY 1988, $7.713 billion in 1989, and $11.318 billion in 1990; recommends increases in contributions (Agriculture) for REA prepayment totaling $5.642 billion and revenue increases totaling $64.300 billion over the three-year period; instructs the Senate Finance Committee to report changes in laws to increase the statutory public debt limit to $2,565.1 trillion.

Treatment of Prepayments: States that contributions resulting from legislation authorizing waivers of prepayment penalties on certain government guaranteed loans and allowing repayment with new guaranteed loans, would remain unassigned to committees for purposes of allocation and enforcement under section 302 of the Budget Act.

Sale of Government Assets: Expresses the sense of the Congress that the sale of government assets should not be counted for purposes of deficit reduction in the current fiscal year or for purposes of allowing further spending in the current year—asset sales receipts would be available solely to reduce the national debt.

Medicare Savings: States that the Senate Finance Committee and the House Ways and Means and Energy and Commerce Committees would achieve the assumed medicare savings without increasing premiums or deductibles or delaying eligibility or otherwise raising beneficiary out-of-pocket costs; expresses the sense of the Congress that any legislation amending the medicare program to reconcile its expenditures with those required in this resolution should take into account the special needs of rural hospitals under the prospective payment system.

Credit Budget FY 1988-90: Includes non-binding credit levels of $34.6 billion in FY 1988, $33.55 billion in 1989, and $32.45 bil-

FIRST CONCURRENT BUDGET RESOLUTION, FY 1988—Continued

lion in 1990 for new direct loan obligations, and $156.7 billion in FY 1988, $150.55 billion in 1989, and $158.3 billion in 1990 for new primary loan guarantee commitments.

Conference report agreed to. Yeas 53 (50D-3R), Nays 46 (3D-43R), Not Voting 1 (1D). June 24, 1987. -------

Action Completed.

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 158

Bentsen motion to table the Specter, et al., amendment to add the provisions of S. 1396, which provides for a private right of action to allow injured American parties to sue in Federal court for injunctive relief against, and monetary damages for prior injury from, foreign manufacturers and exporters who receive subsidies or "dump" goods in the U.S. or who violate U.S. customs laws; makes importers of subsidized or "dumped" exports also liable for damages; and states the sense of the Congress that the provisions of this section are consistent with the General Agreement on Tariffs and Trade (GATT).

Motion to table agreed to. Yeas 69 (36D-33R), Nays 27 (15D-12R), Not Voting 4 (3D-1R). June 25, 1987. -------

DRUG ABUSE AND ILLICIT TRAFFICKING—U.N. INTERNATIONAL CONFERENCE (S. Res. 238)

VOTE NO. 159

Adoption of the resolution which states that the Senate strongly urges the U.S. delegation to the International Conference on Drug Abuse and Illicit Trafficking to secure firm commitments from the governments of drug-producing and drug-transit countries to: support initiatives which rate the reduction in drug abuse and trafficking as priorities in their domestic governments as well as international policy; reduce illicit drug crop production and transshipment; design and participate in more effective methods of sharing intelligence and information for cooperative international drug law enforcement; negotiate extradition treaties and mutual legal assistance treaties for mutual enhancement of efficient drug enforcement; and support the initiative to develop a new convention to combat illicit narcotic traffic.

Resolution agreed to. Yeas 94 (50D-44R), Nays 0, Not Voting 6 (4D-2R). June 26, 1987. -------

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 160

Bentsen-Pell motion to table the Armstrong-Dodd amendment—Vote No. 161.

Motion to table failed. Yeas 44 (32D-12R), Nays 49 (18D-31R), Not Voting 7 (4D-3R). June 26, 1987. -------

VOTE NO. 161

Armstrong-Dodd amendment which suspends Romania's Most-Favored-Nation trading status for six months until that government recognizes and protects fundamental human rights and allows a lifting of the suspension only upon a determination by the President that the situation has improved and Congress does not disapprove that determination, by enacting a joint resolution.

NOTE: This amendment was further amended by Vote No. 198.

Amendment agreed to. Yeas 57 (25D-32R), Nays 36 (25D-11R), Not Voting 7 (4D-3R). June 26, 1987. -------

PANAMA—HUMAN RIGHTS (S. Res. 239)

VOTE NO. 162

Cranston motion to table the Dodd, et al., amendment (as a substitute for the resolution) deleting the sense of the Senate provision directing the current commander of the Panama Defense Force (General Manuel Noriega) and any other implicated officials to relinquish their duties pending the outcome of an independent investigation of allegations levelled against them and adding instead language (1) calling for the application of all relevant provisions of the Panamanian Judicial Code with respect to all implicated officials, whether civilian or military, and (2) reaffirming U.S. commitment to its treaties.

Motion to table agreed to. Yeas 73 (37D–36R), Nays 13 (9D–4R), Not Voting 14 (8D–6R). June 26, 1987.

VOTE NO. 163

Adoption of the resolution expressing the sense of the Senate that the Government of Panama should: restore suspended Constitutional guarantees to the people of Panama; establish genuine autonomy for civilian authorities and remove the Panama Defense Force from nonmilitary activities; provide for an impartial investigation of the allegations leveled against certain officials of the Panama Defense Force; take specific steps to help ensure free and fair elections, the establishment of an independent judicial system, and the guarantee of a professional, nonpolitical military establishment under civilian control; and in accord with the Judicial Code of Panama, direct the current commander of the Panama Defense Force and any other implicated officials to relinquish their duties pending the outcome of the impartial independent investigation.

Resolution agreed to. Yeas 84 (44D–40R), Nays 2 (2D), Not Voting 14 (8D–6R). June 26, 1987.

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 164

Humphrey-Proxmire, et al., modified amendment to authorize the President to prohibit trade between the United States and the Soviet-sponsored regime in Afghanistan.

Amendment agreed to. Yeas 83 (44D–39R), Nays 0, Not Voting 17 (10D–7R). June 26, 1987.

KOREAN DEMOCRACY RESOLUTION (S. Res. 241)

VOTE NO. 165

Adoption of the resolution stating the sense of the Senate that the U.S. supports Korean efforts to establish fair and free elections and peacefully evolve to a full democratic government; the U.S. recognizes President Chun Doo Hwan's commitment to initiate the first peaceful transition of power in Korea by stepping down in March 1988; the U.S. calls upon all parties in Korea to resume the search for a peaceful agreement on democratic reform; and the President of the U.S. should undertake all possible efforts to facilitate dialogue and negotiation among all parties to achieve democracy in the Republic of Korea.

Resolution agreed to. Yeas 74 (40D–34R), Nays 0, Not Voting 26 (14D–12R). June 27, 19[illegible].

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 166

Reid amendment which requires the National Critical Materials Council to prepare, within 180 days of enactment, a national Federal program plan for advanced materials research and development; and directs the Council to increase the number of its employees by the equivalent of five full-time employees, with at least four of those employees having expertise in technical fields relevant to the Council's responsibilities.

Amendment agreed to. Yeas 73 (40D–33R), Nays 0, Not Voting 27 (14D–13R). June 27, 1987.

HOMELESS ASSISTANCE (H.R. 558)

VOTE NO. 167

Adoption of the conference report on the bill which authorizes $442.7 million in FY 1987 and $611 million in 1988 for homeless aid programs including the authorization of new or additional funds for the FEMA Emergency Food and Shelter Program, the HUD Emergency Shelter Grants Program, the Supportive Housing Demonstration Program, Supplemental Assistance for Home-

HOMELESS ASSISTANCE—Continued

less Facilities, HUD's Section 8 moderate rehabilitation certificates, grant programs to provide health care and mental health services to the homeless, grants to States to develop and implement plans to educate homeless children, a three-year competitive grant job training demonstration program for the homeless, the Community Services Homeless Block Grant Program, and the Veteran's Job Training Act; requires the Secretary of HUD to identify, and make available for lease, surplus Federal real properties that are suitable for use as homeless facilities; makes surplus Federal personal property available to eligible nonprofit organizations; requires a State, city, or county to receive the HUD Secretary's approval of its comprehensive homeless assistance plan in order to be eligible for housing assistance in the Act; establishes the Interagency Council on the Homeless; requires States to expedite food stamp service for the homeless and makes other modifications to the food stamp program; reauthorizes the Temporary Emergency Food Assistance Program (TEFAP) at $50 million in FY 1988 and provides for the distribution of additional TEFAP commodities; and requires that FY 1987 appropriations made pursuant to authorizations provided in this bill not increase the deficit levels established for FY 1987 in the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings).

Conference report agreed to. Yeas 65 (39D-26R), Nays 8 (1D-7R), Not Voting 27 (14D-13R). June 27, 1987. ______

Became Public Law 100-77.

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 168

Division I of the Gramm, et al., modified amendment, as amended and modified, which requires Congress to complete action on a Constitutional amendment to require a balanced Federal budget October 1, 1987; and requires the President to submit a balanced budget by September 15, 1987.

Division 1 of amendment agreed to. Yeas 59 (28D-31R), Nays 11 (11D), Not Voting 30 (15D-15R) June 27, 1987. ______

VOTE NO. 169

Exon-Melcher, et al., amendment to require the FDA Commissioner, within six months of enactment, to issue regulations providing for the labeling of food products which are imported or which contain a significant amount of imported ingredients; and to require the Secretary of Agriculture, within six months of enactment, to issue regulations which provide for the labeling of meat, meat products, poultry, and poultry products, which are imported or contain a significant amount of imported ingredients.

NOTE: These provisions would not affect existing laws and regulations applicable to restaurants.

Amendment agreed to. Yeas 73 (43D-30R), Nays 19 (6D-13R), Not Voting 7 (5D-2R), Present 1 (1R). June 30, 1987. ______

VOTE NO. 170

McConnell, et al., amendment which requires that annual appropriations to reimburse the Commodity Credit Corporation for net realized losses be made by means of "a current indefinite appropriation."

Amendment agreed to. Yeas 80 (41D-39R), Nays 15 (9D-6R), Not Voting 5 (4D-1R). June 30, 1987. ______

VOTE NO. 171

Shelby motion to table the Garn-Heinz-Proxmire, et al., amendment (to the Shelby amendment)—Vote No. 172.

Motion to table failed. Yeas 19 (12D-7R), Nays 78 (40D-38R), Not Voting 3 (2D-1R). June 30, 1987. ______

VOTE NO. 172

Garn-Heinz-Proxmire, et al., amendment (to the Shelby amendment) which requires the President to impose sanctions on the importation of products of the Toshiba Corporation and Kongsberg Vaapenfabrik for not less than two years and not more than five years; authorizes the President to limit these sanctions under certain circumstances or to waive them if he determines that it is in the interest of national security or that the firm in question is a sole source supplier of essential defense articles, or for products under current contract which are necessary to satisfy U.S. operational military requirements; exempts from these sanctions imports that are shipped under contracts signed before May 1, 1987, and spare parts; and establishes a process for mandatory and discretionary sanctions against future COCOM violations.

Note: Subsequently, the Shelby amendment, as amended by this amendment, was agreed to by voice vote.

Amendment agreed to. Yeas 92 (49D-43R), Nays 5 (3D-2R), Not Voting 3 (2D-1R). June 30, 1987.

VOTE NO. 173

Melcher-Exon, et al., amendment which states the sense of the Congress that the General Agreement on Tariffs and Trade (GATT) negotiation process should be used to achieve a significant reduction in the high tariffs imposed on wheat gluten by other countries; the President should aggressively take appropriate steps to defend the domestic wheat gluten industry should such negotiations fail to equalize gluten import duties; the Secretary of Agriculture should favorably consider industry proposals that utilize the agricultural export enhancement and targeted export assistance programs and should promote the use of wheat gluten to enhance wheat flour offered through various foreign food assistance programs; and requires the Secretary of Agriculture to report to Congress, within 120 days of enactment, on the impact of the current international tariff structure on the U.S. wheat gluten industry.

Amendment agreed to. Yeas 94 (50D-44R), Nays 0, Not Voting 6 (4D-2R). June 30, 1987.

VOTE NO. 174

Wilson, et al., amendment stating the sense of the Congress that Japan should liberalize its trade policies by lowering high tariffs and removing quotas on competitive agricultural exports of the U.S., and should perform these actions in a prompt and timely manner to avoid any damage to the close relations between Japan and the U.S.

Amendment agreed to. Yeas 94 (49D-45R), Nays 0, Not Voting 6 (5D-1R). July 1, 1987.

VOTE NO. 175

Bradley-Packwood, et al., amendment to strike the section which requires the President to establish a national oil import ceiling at or below 50 percent of U.S. consumption, as determined annually by the Secretary of Commerce for that year and the two succeeding years; requires the President, if the ceiling is exceeded within the three-year period, to submit to Congress, within 90 days, an energy production and oil security policy utilizing the authorities accorded to him by the Trade Expansion Act of 1962 (which allows the President to adjust such imports to levels that will not threaten national security); and provides that such policy shall take effect unless both Houses of Congress disapprove it within 90 days.

Amendment agreed to. Yeas 55 (22D-33R), Nays 41 (29D-12R), Not Voting 4 (3D-1R). July 1, 1987.

SUPPLEMENTAL APPROPRIATIONS, 1987 (H.R. 1827)

VOTE NO. 176

Stennis motion to table the Melcher amendment (as a substitute for the House amendment to the Senate amendment) to require the Secretary of Labor to develop and furnish to Congress, within 180 days of enactment, a Consumer Price Index which reflects the distribution of expenditures and the inflation rate on goods and services which are purchased by retired individuals who are 62 years of age or older.

Motion to table agreed to. Yeas 50 (24D-26R), Nays 42 (25D-17R), Not Voting 8 (5D-3R). July 1, 1987.

Became Public Law 100-71.

TRADE AND COMPETITIVENESS ACT (H.R. 3)

VOTE NO. 177

Pell motion to table the Nickles, et al., amendment to insert the text of the Foreign Agricultural Investment Reform Act which instructs the U.S. representatives to multilateral development banks to withhold funds for the subsidization of foreign

Voted

competition in minerals or agricultural products, effective on October 2, 1987.

NOTE: Subsequently, Symms-Nickles, et al., substitute amendment for the Nickles amendment was agreed to by voice vote. The substitute amendment has an October 1, 1987, effective date.

Motion to table failed. Yeas 34 (25D-9R), Nays 58 (25D-33R), Not Voting 8 (4D-4R). July 7, 1987.

VOTE NO. 178

Packwood-Evans-Roth amendment to restore the President's discretionary authority, under Section 201 of the Trade Act of 1974, to weigh the general public good and the Nation's economic interest in deciding whether to grant relief, as recommended by the International Trade Commission, to industries injured by fair import competition.

Amendment rejected. Yeas 41 (8D-33R), Nays 55 (44D-11R), Not Voting 4 (2D-2R). July 7, 1987.

VOTE NO. 179

Domenici, et al., amendment which gives the President discretionary authority, under section 301 of the Trade Act, to retaliate against foreign subsidization (including the provision of funds on terms inconsistent with commercial consideration) of excess capacity to produce nonagricultural, fungible goods such as copper, steel, potash, coal, aluminum, and other minerals.

NOTE: Section 301 presently permits, but does not require, the President to take action to eliminate the unreasonable practice through negotiations, suspension of trade agreements, or imposition of duties or import restriction.

Amendment agreed to. Yeas 71 (35D-36R), Nays 28 (18D-10R), Not Voting 1 (1D). July 8, 1987.

VOTE NO. 180

Quayle-Boren amendment to strike the plant closing provisions of the bill which require employers who employ at least 100 full-time workers to give 60 days notice of plant closings and mass layoffs.

Amendment rejected. Yeas 40 (4D-36R), Nays 60 (50D-10R). July 9, 1987.

VOTE NO. 181

Sasser, et al., motion to close further debate on the Moynihan, et al., amendment expressing the sense of the Congress that: the U.S. should seek a settlement of the Iran-Iraq war through diplomatic means and pursue, through the U.N., efforts to (1) effect mandatory sanctions including an arms embargo, against any combatant state which fails to cooperate in establishing a negotiated cease-fire, and (2) promote a cessation by Iran and Iraq of shipping attacks in the Persian Gulf; the U.S. should deploy such naval forces in, or proximate to, the Persian Gulf as necessary to protect the right of free transit through the Strait of Hormuz, and work closely with the Persian Gulf states to reestablish stability, security, and peace in the region; the President should, in implementing these policies, take the steps necessary to achieve the cooperation of interested parties, particularly naval powers among the major importers of Persian Gulf oil and the Gulf Cooperation Council nations; the President should seek to convene a conference of exporters and importers of Persian Gulf oil to assess means for ensuring the free flow of oil, promoting freedom of navigation, deescalating hostilities, contributing to a negotiated end to the Iran-Iraq war, and developing a long-term policy which advances the strategic interests of the West and states of the region; the proposed reflagging of Kuwaiti tankers should be delayed pending the outcome of these initiatives; and the U.S. should preserve its military flexibility in the Persian Gulf and not commit itself rigidly and exclusively to any narrow protection regime, such as convoying, for one country or specific group of ships, and should explore cooperative efforts involving other naval powers and the regional states to ensure the free transit of oil.

Cloture motion rejected. Yeas 57 (52D-5R), Nays 42 (1D-41R), Not Voting 1 (1D). July 9, 1987.

VOTE NO. 182

Stevens motion to table the DeConcini-Dole-Chiles, et al., amendment which prohibits the importation of products from Angola and the exportation of U.S. goods or technology to

Angola, except for disaster relief and U.S. petroleum extraction products bound for Angola as a result of contracts entered into prior to July 1, 1987, or upon Presidential certification that all Cuban and Soviet troops have been withdrawn from Angola and Angola has made certain democratic changes to its government.

Motion to table agreed to. Yeas 61 (36D–25R), Nays 38 (17D–21R), Not Voting 1 (1D). July 9, 1987. _______

VOTE NO. 183

Bumpers motion to table the Bumpers-Hatfield-Adams amendment which postpones the reflagging of any Kuwaiti naval vessel for a 89-day period following enactment of this legislation.

Motion to table failed. Yeas 42 (3D–39R), Nays 56 (49D–7R), Not Voting 2 (2D). July 9, 1987. _______

VOTE NO. 184

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 74 (47D–27R), Nays 15 (1D–14R), Not Voting 11 (6D–5R). July 9, 1987. _______

VOTE NO. 185

Armstrong, et al., amendment to cap at $400 million per year the amount of money which may be spent on Trade Adjustment Assistance (TAA).

NOTE: The bill establishes an import fee to pay for TAA that is capped at one percent of the import value.

Amendment rejected. Yeas 39 (6D–33R), Nays 53 (42D–11R), Not Voting 8 (6D–2R). July 9, 1987. _______

VOTE NO. 186

Ford motion to table the Chafee, et al., amendment which would strike the bill's provision that makes tobacco eligible for export promotion programs with any resulting losses to be borne by the Commodity Credit Corporation.

Motion to table agreed to. Yeas 51 (26D–25R), Nays 43 (24D–19R), Not Voting 6 (4D–2R). July 10, 1987. _______

VOTE NO. 187

Danforth perfecting amendment (to the Byrd-Dole, et al., amendment) which requires the U.S. Trade Representative (USTR) to: (1) identify foreign countries that maintain a consistent pattern of import barriers and trade distorting practices, (2) evaluate their effect on U.S. exports and estimate the value in lost trade to the U.S. during the preceding year; (3) negotiate agreements with each foreign country either to eliminate the trade barriers or to provide alternative export opportunities equivalent to any barriers remaining; and (4) if no agreements are reached, or agreements are violated, impose sanctions against those countries under Section 301; and allows the Senate Finance and House Ways and Means Committee, by adoption of a Committee resolution, to file a Section 301 petition with the USTR for the investigation of a foreign country suspected of maintaining a consistent pattern of import barriers and trade distorting practices.

NOTE: The Danforth amendment was almost identical to the Byrd-Dole amendment, and was offered so that the vote would occur on what was essentially the Byrd-Dole amendment.

Amendment agreed to. Yeas 87 (49D–38R), Nays 7 (7R), Not Voting 6 (5D–1R). July 10, 1987. _______

VOTE NO. 188

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 84 (48D–36R), Nays 10 (1D–9R), Not Voting 6 (5D–1R). July 14, 1987. _______

VOTE NO. 189

Exon, et al., second motion to close further debate on the Moynihan, et al., amendment to express the sense of the Congress with respect to a settlement of the Iran–Iraq war.

NOTE: See Vote No. 181 for a summary of the Moynihan, et al, amendment.

Cloture motion rejected. Yeas 53 (48D–5R), Nays 40 (1D–39R), Not Voting 7 (5D–2R). July 14, 1987. _______

Voted

TRADE AND COMPETITIVENESS ACT—Continued

VOTE NO. 190

Hollings motion to table the Glenn perfecting amendment (to the language to be struck by the Hollings, et al., amendment) which strikes the trade reorganization section from the bill, as reported by the Governmental Affairs Committee, and reduces funding for the Advanced Civilian Technology Agency from $480 million to $80 million in 1988 and 1989.

Motion to table agreed to. Yeas 73 (30D–43R), Nays 21 (18D–3R), Not Voting 6 (6D). July 14, 1987.

VOTE NO. 191

Helms motion to table the Baucus, et al., amendment which requires the President to maintain a list of agricultural commodities and products that may be exported to Cuba if he determines that U.S. national security interests will not be harmed and the product is freely available to Cuba from other world market suppliers; and requires the President to supply Congress with a detailed explanation for not placing a major agricultural product on this list.

Motion to table agreed to. Yeas 71 (32D–39R), Nays 25 (18D–7R), Not Voting 4 (4D). July 14, 1987.

VOTE NO. 192

Metzenbaum motion to table the Gramm-Boren motion to recommit the bill to the Finance Committee with instructions to report back forthwith with all amendments agreed to, all pending amendments in status quo, and a provision to repeal the windfall profits tax, effective December 31, 1987.

NOTE: After objection was heard to a request to set aside the pending amendment in order to bring up a Gramm-Boren amendment repealing the windfall profit tax, Senator Gramm made the above motion so as not to be precluded from getting a vote on the matter.

M. Yeas 36 (26D–10R), Nays 57 (21D–36R), Not Voting 7 (7D). July 14, 1987.

VOTE NO. 193

Gramm motion to table the Cranston amendment (to the Bradley amendment to the Gramm-Boren motion to recommit the bill with instructions to report back forthwith with a provision repealing the windfall profit tax) which increases the cigarette excise tax to 34 cents per pack.

Motion to table agreed to. Yeas 74 (32D–42R), Nays 20 (16D–4R), Not Voting 6 (6D). July 14, 1987.

VOTE NO. 194

Gramm motion to table the Byrd amendment (to the Bradley amendment to the Gramm-Boren motion to recommit the bill with instructions to report back forthwith with a provision repealing the windfall profit tax) which increases the cigarette excise tax to 35 cents per pack.

Motion to table agreed to. Yeas 77 (37D–40R), Nays 18 (12D–6R), Not Voting 5 (5D). July 14, 1987.

VOTE NO. 195

Gramm motion to table the Bradley amendment (to the Gramm-Boren motion to recommit the bill taking with it the Byrd amendment regarding U.S. policy toward protecting reflagged Kuwaiti tankers in the Persian Gulf) which increases the cigarette excise tax to 33 cents per pack.

Motion to table agreed to. Yeas 75 (37D–38R), Nays 19 (12D–7R), Not Voting 6 (5D–1R). July 14, 1987.

VOTE NO. 196

Bumpers, et al., motion to close further debate on the Bumpers-Hatfield-Adams amendment to prohibit the use of funds to reflag any Kuwaiti naval vessels for a period of 89 days following enactment of this legislation.

Cloture motion rejected. Yeas 54 (48D–6R), Nays 44 (4D–40R), Not Voting 2 (2D). July 15, 1987.

VOTE NO. 197

Dole–Byrd, et al., amendment which imposes a trade embargo against Iran, or any other state in the Persian Gulf region, which launches a purposeful military or terrorist attack on U.S. vessels, facilities, or personnel with "silkworm" missiles or other

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weapons; and urges the President to persuade all nations to discontinue the practice of transferring offensive weaponry, including silkworm missiles, to belligerent nations in the Persian Gulf region.

Amendment agreed to. Yeas 82 (49D-33R), Nays 16 (3D-13R), Not Voting 2 (2D). July 15, 1987.

VOTE NO. 198

Armstrong motion to table the Danforth-Metzenbaum, et al., amendment which would permit the President to continue Romania's Most Favored Nation trading status (which the Armstrong-Dodd, et al., amendment—Vote No. 161—suspended for six months unless Romania makes improvements in protecting fundamental human rights) if he reports to Congress that the denial of such trade status would make it more difficult to improve human rights practices in Romania or to enhance opportunities for emigration from Romania.

Motion to table agreed to. Yeas 53 (25D-28R), Nays 44 (27D-17R), Not Voting 3 (2D-1R). July 15, 1987.

VOTE NO. 199

Gramm-Armstrong amendment to strike Title XVII which deals with international debt and instructs the Secretary of the Treasury to negotiate with industrialized and developing countries, as he deems appropriate, for the establishment of an international debt management agency which would be designed to operate as a self-supporting entity, requiring no routine appropriation of resources from any member government.

Amendment rejected. Yeas 49 (3D-46R), Nays 50 (50D), Not Voting 1 (1D). July 15, 1987.

VOTE NO. 200

Boren-Gramm, et al., amendment to repeal the windfall profit tax.

Amendment agreed to. Yeas 58 (23D-35R), Nays 40 (29D-11R), Not Voting 1 (1D), Live Pairs 1 (1D). July 16, 1987.

VOTE NO. 201

Hollings motion to table the Harkin, et al., amendment which requires foreign investors to register investments of more than five percent in a U.S. property or business enterprise with the Department of Commerce and to disclose, if they own a 25 percent interest, the same kind of information already required of U.S. companies whose stock is traded on the stock exchanges, and establishes penalties of up to $10,000 per week for failure to register within 30 days of acquisition and $10,000 and/or up to one year imprisonment for submitting false or misleading information.

Motion to table agreed to. Yeas 83 (39D-44R), Nays 11 (11D), Not Voting 6 (4D-2R). July 17, 1987.

VOTE NO. 202

Johnston motion to table the Chafee amendment to eliminate the cane sugar drawback provision in the bill which would allow import duties paid on raw cane sugar imported between November 1, 1977, and April 1, 1985, to be refunded upon its refinement and export before October 1, 1991.

Motion to table agreed to. Yeas 49 (33D-16R), Nays 44 (16D-28R), Not Voting 7 (5D-2R). July 17, 1987.

VOTE NO. 203

Packwood motion to table the Wilson-Hollings amendment to repeal section 151 of the Trade Act of 1974 which provides expedited procedures for passage of any trade agreement implementing legislation within 60 days of its submission to Congress (but does not repeal the provision which prohibits amendments to such implementing legislation).

NOTE: The vote on this amendment occurred in the final days of the bill's consideration, by which point many Senators had reached an agreement to table all controversial amendments so as to complete action on the bill.

Motion to table agreed to. Yeas 68 (39D-29R), Nays 9 (1D-8R), Not Voting 23 (14D-9R). July 17, 1987.

VOTE NO. 204

Byrd-Danforth-Dole-Bingaman amendment which states the sense of the Senate that the Secretary of Defense should (1) report to Congress within 30 days of enactment on the results of his recent discussions with Japan about procurement of new

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fighter aircraft, (2) continue his negotiations with Japan and press for a commitment from them to purchase U.S. planes, and (3) transmit to Congress recommendations for Congressional action which might encourage Japan to do so.

Amendment agreed to. Yeas 96 (51D–45R), Nays 0, Not Voting 4 (3D–1R). July 21, 1987.

VOTE NO. 205

Packwood-Bentsen motion to table the Heinz amendment to strike the provisions on noncontroversial tariff suspensions which establish administrative procedures that allow duty suspension under expedited procedures and upon the President's approval.

Motion to table agreed to. Yeas 88 (51D–37R), Nays 9 (9R), Not Voting 3 (3D). July 21, 1987.

VOTE NO. 206

Packwood motion to table the Specter amendment stating the sense of the Senate that the President should direct the U.S. Trade Representative to (1) place the highest priority in the Uruguay round of multilateral trade negotiations (GATT) on strengthening existing remedies against unfair dumping, subsidization, and customs fraud, and (2) negotiate international rules authorizing a private right of action against unfair dumping practices and customs fraud.

Motion to table agreed to. Yeas 65 (36D–29R), Nays 31 (15D–16R), Not Voting 4 (3D–1R). July 21, 1987.

VOTE NO. 207

Packwood motion to table the Daschle-Pryor amendment to exempt newsprint from the Section 218 import fee (which will be used to fund the Trade Adjustment Assistance program).

Motion to table agreed to. Yeas 69 (29D–40R), Nays 29 (23D–6R), Not Voting 2 (2D). July 21, 1987.

VOTE NO. 208

Passage of the bill which renews the "fast-track" procedure for the President to enter into trade agreements with foreign countries; mandates responses to unfair distortions of international trade; improves the enforcement of U.S. antidumping and countervailing duty laws; establishes a new trade competitiveness assistance program for firms and workers; repeals the windfall profits tax; establishes a special procedure to open foreign markets having a "consistent pattern of trade barriers"; modifies export licensing procedures under the Export Administration Act; modifies Federal Reserve regulations relating to bank-affiliated export trading companies; states U.S. policy regarding international economic policy coordination and currency markets; authorizes withdrawal of privileges for companies from foreign countries which do not accord competitive opportunities to U.S. financial institutions comparable to those of their domestic counterparts; modifies the criminal prosecution provisions of the Foreign Corrupt Practices Act; authorizes the President, after an investigation by the Secretary of Commerce, to take appropriate actions to restrict foreign investment in U.S. businesses which threaten the national security; requires the President to impose sanctions on the importation of the products from companies found to have violated international export control agreements, including the Toshiba Corporation and Kongsberg Vaapenfabrik; directs the President to address the international debt problem of developing countries, including the proposal of an international debt facility; establishes a Trade and Development Program with authority over the mixed credit program; increases appropriations and staff levels for the Foreign Agricultural Service to expand its agricultural export marketing programs and activities; modifies the provisions of several existing agricultural trade programs including increasing funding for the Targeted Export Assistance Program, and establishing a triggered marketing loan program for the 1990 crop year for certain commodities if a GATT agreement on agricultural trade has not been reached; requires that imported food be labeled to specify the country of origin; requires that annual appropriations to reimburse the CCC for net realized losses be made by means of a current indefinite appropriation; requires advance notification of plant closings and mass layoffs; creates demonstration programs for dislocated workers, self-employment opportunities, public works employment, dislocated farmers, farm employees, and ranchers, and job creation; authorizes funds for education programs to improve American competitiveness; authorizes various grant programs including the Star Schools and foreign language study programs; makes amendments to the patent laws with respect to patented processes, the patent misuse doctrine, licensee challenges to patent validity, and patent term restoration; reorganizes the National Bureau of Standards into the National Institute of Technology with responsibility for developing quality control techniques and generic research to improve U.S. manufacturing and product technologies; establishes a pilot State Technology Extension Program to support innovative State projects to transfer Federal technology to businesses and creates a new Commerce Department Clearinghouse on State and Local Initiatives on Productivity, Technology, and Innovation; amends the International Air Transportation Fair Competitive Practices Act to facilitate DOT review of complaints by U.S. carriers; and strengthens export assistance programs for small businesses.

Bill passed. Yeas 71 (52D–19R), Nays 27 (27R), Not Voting 2 (2D). July 21, 1987.

PUBLIC DEBT LIMIT (GRAMM-RUDMAN-HOLLINGS)
(H.J. Res. 324)

VOTE NO. 209

Chiles motion to table the Domenici amendment (as a substitute for the Chiles motion to waive the Budget Act to allow consideration of the Chiles amendment No. 626) which waives section 306 of the Budget Act for a not-yet-offered Domenici-Gramm amendment as well as the pending Chiles amendment—Vote No. 211.

Motion to table agreed to. Yeas 50 (50D), Nays 47 (1D–46R), Not Voting 3 (3D). July 23, 1987.

VOTE NO. 210

Chiles motion to waive section 306 of the Budget Act (which prohibits the consideration of legislation dealing with the Congressional budget unless it has been reported by the Budget Committee or is an amendment to such a bill or resolution) to allow consideration of the Chiles amendment—Vote No. 211—which establishes new deficit targets and modifies the sequester process of the Gramm-Rudman-Hollings provisions of the Balanced Budget and Emergency Deficit Control Act of 1985.

Motion agreed to. Yeas 71 (35D–36R), Nays 25 (15D–10R), Not Voting 4 (4D). July 23, 1987.

VOTE NO. 211

Chiles modified amendment which establishes new deficit targets of $150 billion for FY 1988, $130 billion in 1989, $90 billion in 1990, $45 billion in 1991, and a balanced budget in 1992; provides a process for a maximum sequester order of $36 billion to take effect in October of each year unless Congress and the President act to avoid sequester; permits flexibility in military personnel cuts; maintains the current sequester formula of 50 percent defense/50 percent domestic spending cuts; requires CBO and OMB to monitor deficit savings and GAO to review the reports and certify to Congress the amount of sequester needed; expedites action by Congress on the GAO report as a non-amendable, fast-track joint resolution; prohibits accounting gimmicks and asset sales as a means of saving money; requires one set of economics to be used in the budget resolution; extends to 1992, the Byrd rule prohibiting extraneous matter on reconciliation bills; requires 60 votes to overturn Chair rulings on a 60 vote budget point of order; and provides for a fast-track reconciliation process in order to avoid a sequester.

Amendment rejected. Yeas 25 (25D), Nays 71 (25D–46R), Not Voting 4 (4D). July 23, 1987.

VOTE NO. 212

Domenici motion to waive section 306 of the Budget Act (which prohibits the consideration of legislation dealing with the Congressional budget unless it has been reported by the Budget Committee or is an amendment to such a bill or resolution) to allow consideration of the Domenici-Gramm-Rudman amendment which modifies the sequester process of the Gramm-Rudman-Hollings provisions of the Balanced Budget and Emergency Deficit Control Act of 1985, and establishes the same deficit targets of $150 billion for FY 1988, $130 billion in 1989, $90 billion in 1990, $45 billion in 1991, and a balanced budget in 1992 as under the Chiles amendment—Vote No. 211—but gives OMB the responsibility for determining the size of the deficit

PUBLIC DEBT LIMIT—Continued

and the sequester order (rather than giving that responsibility to CBO and GAO as well as OMB).

Motion rejected. Yeas 47 (5D–42R), Nays 49 (45D–4R), Not Voting 4 (4D). July 23, 1987. --------

MIA NEGOTIATIONS (S. Res. 255)

VOTE NO. 213

Adoption of the resolution which expresses the full and undivided support of the Senate for General John Vessey, former Chairman of the Joint Chiefs of Staff and present Special Presidential Emissary for POW/MIA Affairs, in his forthcoming negotiations to determine the fate of those Americans missing in action in Southeast Asia, to facilitate the return of the recoverable remains of those missing in action, and to discuss the remaining humanitarian issues affecting both nations; and calls on Vietnam to respond positively to the aforementioned concerns of the American people in a humanitarian context.

Resolution agreed to. Yeas 92 (46D–46R), Nays 0, Not Voting 8 (8D). July 28, 1987. --------

POSTAL EMPLOYEE APPEAL RIGHTS (H.R. 348)

VOTE NO. 214

Helms-Thurmond substitute amendment which extends to all postal employees the right to appeal adverse personnel actions by the Merit Systems Protection Board to the Federal Circuit Court of Appeals.

NOTE: Subsequently, the bill, which would extend the right of appeal (accorded to veterans and union personnel under current law) to nonveteran postmasters and postal supervisors, was passed by voice vote.

Amendment rejected. Yeas 18 (18R), Nays 74 (48D–26R), Not Voting 8 (6D–2R). July 28, 1987. --------

Became Public Law 100–90.

HAITIAN HUMAN RIGHTS (SOVIET EMBASSY) (S. Res. 248)

VOTE NO. 215

Pell motion to table the Symms-D'Amato amendment expressing the sense of the Senate that the President should void the current embassy site and construction agreements between the U.S. and the Soviet Union and enter into negotiations for a new agreement under which the Soviet Union will move its new embassy to a site in the District of Columbia that is no more than 90 feet above mean sea level.

NOTE: The amendment was subsequently separated from S. Res. 248 and adopted by voice vote as a freestanding resolution, S. Res. 261.

Motion to table failed. Yeas 26 (17D–9R), Nays 71 (34D–37R), Not Voting 3 (3D). July 30, 1987. --------

PUBLIC DEBT LIMIT (GRAMM-RUDMAN-HOLLINGS) (H.J. Res. 324)

VOTE NO. 216

Johnston amendment to extend the public debt limit increase until May 1, 1989, instead of October 1, 1988, as reported, in the amount of $2.8 trillion instead of $2.111 trillion.

Amendment agreed to. Yeas 58 (29D–29R), Nays 35 (18D–17R), Not Voting 7 (7D). July 31, 1987. --------

VOTE NO. 217

Johnston, et al., modified perfecting amendment (to the Gramm-Chiles amendment) which lowers the deficit target for FY 1988 to $140 billion with a $5 billion cushion, instead of $150 billion with a $10 billion cushion, or requires at least a $36 billion reduction in the baseline deficit, whichever lowers the deficit more; and lowers the deficit target for 1989 from $130 billion to $120 billion with a $10 billion cushion.

Amendment rejected. Yeas 41 (41D), Nays 52 (7D–45R), Not Voting 7 (6D–1R). July 31, 1987. --------

VOTE NO. 218

Gramm-Chiles amendment which establishes new deficit targets of $150 billion for FY 1988, $130 billion in 1989, $90 billion in 1990, $45 billion in 1991, and a balanced budget in 1992; maintains the current $10 billion cushion in meeting the fixed targets in each fiscal year; establishes a maximum sequester order of $36 billion in FY 1989, which can be avoided only by reducing the deficit $36 billion below the baseline or reaching the $130 billion deficit target; establishes a sequester procedure under which CBO and OMB will estimate in August and October the baseline deficit for the impending fiscal year and issue a joint report that averages the two agencies' deficit estimates to determine the sequester amount, GAO will review the OMB/CBO report and issue its own sequester report, and OMB will issue the final sequester report and explain any differences with GAO; allows Congress five days to change the final OMB sequester report through expedited procedures before it takes effect; requires the President to issue an initial sequester order on September 1, which will take effect in October unless Congress and the President act to avoid sequester; provides for a fast-track reconciliation process in order to avoid a sequester; allows Congress to specify the economic variables that OMB, CBO, and GAO must use in estimating the deficit; requires OMB to use specified budget authority-to-outlay ratios in computing program cuts under a sequester and prohibits the use of accounting gimmicks such as shifting outlays from one year to another; sustains the current sequester formula of 50 percent defense/50 percent domestic spending cuts; permits flexibility in military personnel cuts; and allows flexibility for cuts in other defense programs only if requested by the President and approved by both Houses of Congress as an amendable joint resolution.

Amendment agreed to. Yeas 71 (29D-42R), Nays 21 (19D-2R), Not Voting 8 (6D-2R). July 31, 1987.

VOTE NO. 219

Stennis motion to table the Evans, et al., amendment—Vote No. 220.

Motion to table failed. Yeas 43 (40D-3R), Nays 49 (8D-41R), Not Voting 8 (6D-2R). July 31, 1987.

VOTE NO. 220

Evans amendment which provides for two years that each title of any joint resolution making continuing appropriations, after it is passed by Congress, will be enrolled as a separate joint resolution for presentation to the President; and provides that the separate titles consist of the individual appropriations bills contained in the continuing resolution.

Amendment rejected. Yeas 41 (5D-36R), Nays 48 (41D-7R), Not Voting 10 (7D-3R), Live Pairs 1 (1D). July 31, 1987.

VOTE NO. 221

Conrad motion to waive section 306 of the Budget Act (which prohibits the consideration of legislation dealing with the Congressional budget unless it has been reported by the Budget Committee) to allow the consideration of the Conrad-Boschwitz amendment which provides a two percent across-the-board cut on all spending levels in the budget for FY 1988 except for social security, the payroll tax portion of medicare, and the enforcement functions of the Internal Revenue Service.

Motion rejected. Yeas 36 (19D-17R), Nays 53 (27D-26R), Not Voting 11 (8D-3R). July 31, 1987.

VOTE NO. 222

Packwood-Byrd, et al., motion to table the Humphrey, et al., amendment which repeals the pay raise for Members of Congress and the executive branch that went into effect on March 1, 1987 (while maintaining the pay raise for the judicial branch) for a reduction in individual congressional pay of $12,100.

Motion to table agreed to. Yeas 49 (28D-21R), Nays 40 (18D-22R), Not Voting 11 (8D-3R). July 31, 1987.

VOTE NO. 223

Grassley, et al., amendment which requires, beginning in 1990, an affirmative vote by Congress to approve the recommendation of the President's Quadrennial Commission for a Congressional Pay Raise.

Amendment agreed to. Yeas 84 (43D-41R), Nays 4 (3D-1R), Not Voting 12 (8D-4R). July 31, 1987.

PUBLIC DEBT LIMIT—Continued

VOTE NO. 224

Passage of the joint resolution which increases the public debt limit from $2.111 trillion to $2.8 trillion until May 1, 1989.

Gramm-Rudman-Hollings Revision: Amends the Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman-Hollings) to transfer from GAO to OMB the authority to implement possible budget sequester orders and revise the deficit targets and sequester procedures set forth in the act.

Deficit Targets: Revises the deficit targets set forth in the act to provide a deficit of $150 billion in FY 1988, $130 billion or $36 billion in policy reductions in 1989, $90 billion in 1990, $45 billion in 1991, and $45 billion in 1992.

Maintains the current sequester formula—50 percent defense/50 percent nondefense; gives the President flexibility in exempting military personnel accounts from a sequester; allows flexibility for other defense programs only if requested by the President and approved by Congress by joint resolution; retains all current exemptions and special rules.

Initiating a Sequester: Requires OMB and CBO, in August and October of each year, to estimate the baseline deficit for the upcoming fiscal year and to issue a joint report containing the average of the two agencies' deficit estimates to determine the amount of excess deficit above the annual target (the sequester amount); requires GAO to review the report and issue its own sequester report; directs OMB to issue the final sequester report explaining any differences with GAO.

Requires the President to issue the sequester order on September 1 which will take effect in October unless Congress and the President act to avoid sequester by enacting deficit reductions through "fast-track reconciliation" or regular legislation within six weeks.

Avoiding a Sequester: Specifies that a sequester can be avoided in 1988 if the deficit is reduced below the fixed target of $150 billion, and in 1989 by either achieving $36 billion in deficit reduction below the baseline or reaching the $130 billion target; limits the maximum sequester in 1989 to $36 billion; requires the annual deficit target to be achieved in 1990, 1991, and 1992; and makes the $10 billion cushion in meeting the fixed targets applicable in all years.

Limitation of OMB's Role in 1988: Provides, for 1988, that Congress will specify the economic variables that OMB must use in estimating the deficit and will have the option to set the economic variables in other years; requires OMB to use specified budget authority/outlay ratios in computing program-by-program cuts under a sequester; and gives Congress five days to change the final OMB sequester report through expedited procedures.

Repeal Fazio and Apply Outlay Limits: Repeals the Fazio exception to section 311 and makes section 302 applicable to outlays.

Budget Process Revisions: Contains sense of the Congress language regarding a two-year appropriations for selected subfunctional budget areas; repeals the sunset provision of the State and Local Government Cost Estimate Act of 1981; extends the sunset provision of the Byrd Rule; extends the rule to prohibit programs that expand in the outyears to exceed savings in the same title; confirms the reporting requirement for deferrals and codifies the New Haven decision prohibiting policy deferrals; confirms Congressional intent that rescissions cannot be repeatedly resubmitted during one year; requires a single set of economics in the budget resolution; scores the subsidies of loans and guarantees on the basis of cost to the government; requires three-fifths vote in the Seante to appeal the Chair rulings relative to three-fifths vote points of order under the Budget Act; and contains provisions to ensure payment of social security benefits when the government reaches the debt ceiling.

Congressional Pay Raises: Prevents automatic increases in the rates of pay for Members of Congress and certain executive branch employees under the Federal Salary Act of 1967 by requiring both Houses of Congress, beginning in 1990, to approve the report of the Quadrennial Commission by passing a joint resolution before any pay raise could take effect.

NOTE: See Vote No. 262 on the conference report.

Joint resolution passed. Yeas 54 (25D–29R), Nays 31 (21D–10R), Not Voting 15 (8D–7R). July 31, 1987.

NOMINATION OF ALAN GREENSPAN TO BE CHAIRMAN OF FED

VOTE NO. 225

Confirmation of the nomination of Alan Greenspan, of New York, to be a Member and Chairman of the Board of Governors of the Federal Reserve System.

Nomination confirmed. Yeas 91 (49D–42R), Nays 2 (2D), Not Voting 7 (3D–4R). August 3, 1987.

SAVINGS AND LOAN (FSLIC) RECAPITALIZATION ACT (H.R. 27)

VOTE NO. 226

Adoption of the conference report on the bill which recapitalizes, at $10.825 billion, the Federal Savings and Loan Insurance Corporation (FSLIC); provides for the refund of contributions by thrift institutions to the FSLIC secondary reserve; closes the nonbank bank loophole as of March 5, 1987, and restricts the expansion of grandfathered nonbank banks; imposes a moratorium through March 1, 1988, on certain securities and insurance activities of banks or bank holding companies; requires thrift institutions to use generally accepted accounting principles instead of the regulatory accounting system; allows emergency interstate bank acquisitions; allows regulators to operate failed banks for up to three years while seeking purchasers for those institutions; establishes a new program to facilitate the recovery of troubled, but well-managed thrifts; regulates consumer checkholds; streamlines credit union operations; provides for the seven-year amortization of farm loans in agricultural banks; and reaffirms the sense of the Congress that Federally-insured deposits are backed by the full faith and credit of the U.S. government.

Conference report agreed to. Yeas 96 (52D–44R), Nays 2 (2R), Not Voting 2 (2D). August 4, 1987.

Became Public Law 100–86.

SCHOOL LUNCH/NUTRITION PROGRAM (H.R. 1340)

VOTE NO. 227

Passage of the bill which requires the Department of Agriculture to improve the quality, packaging, and delivery of commodities issued under the National School Lunch, Elderly Feeding, Food Distribution on Indian Reservations, Child Care Food, and School Breakfast programs; extends the National Commodity Processing Program until June 30, 1989; extends until June 30, 1989, the Cash or Commodity Letters of Credit pilot projects which allow certain school districts to receive cash or commodity letters of credit in lieu of National School Lunch program commodities and requires that food purchased by the pilot projects be produced and processed in the U.S.; allows State agencies participating in the Women, Infants, and Children (WIC) Program to devise methods to reduce food costs, such as by competitive bidding, and to use up to 20 percent of the savings to administer the program to additional applicants and the remaining 80 percent for additional WIC food purchases; allows States to carry over one percent of the unspent FY 1986 and 1987 WIC funds into the succeeding fiscal years; requires that infant formula bought for the WIC program be registered with FDA and meet the Infant Formula Act requirements; requires that State agencies participating in WIC coordinate the WIC and medicaid programs; requires the USDA to conduct a study of savings in the medicaid and State indigent health care programs for newborn infants during the first 60 days after birth to determine cost savings in medicaid and other health programs that resulted from the mothers' participation in WIC during pregnancy; requires that USDA-issued recipe cards be regularly updated using USDA and HHS dietary guidelines; and extends the deadline for USDA quality control program studies from 12 to 15 months.

NOTE: The bill was cleared for the President after the Senate agreed to further House amendments on December 19, 1987.

Bill passed. Yeas 97 (52D–45R), Nays 0, Not Voting 3 (2D–1R). August 5, 1987.

Became Public Law 100–237.

Voted

NOMINATION OF DAVID S. RUDER TO BE CHAIRMAN OF THE SEC

VOTE NO. 228

Confirmation of the nomination of David S. Ruder, of Illinois, to be Chairman of the Securities and Exchange Commission.

Nomination confirmed. Yeas 81 (36D–45R), Nays 17 (17D), Not Voting 2 (1D–1R). August 6, 1987.

OLDER AMERICANS (H.R. 1451)

VOTE NO. 229

Passage of the bill which authorizes $1.62 billion in FY 1988, $1.67 billion in 1989, $1.76 billion in 1990, $1.75 billion in 1991, and $1.85 billion in 1992 for Older Americans and Native American Acts programs.

Federal Council and Administration on Aging: Authorizes $200,000 annually in FY 1988–92 for the continued operation of the Federal Council on Aging and requires that the majority of its members be older Americans; establishes an Associate Commissioner on Native American Aging within the Administration on Aging; updates the requirements for publication of timely regulations.

Title III Supportive Services and Other Activities: Authorizes $5.7 billion in FY 1988–92 for Title III programs which includes supporting services, nutrition services, and surplus commodities programs; increases to 10 percent the percentage of funding that may be used by area agencies on aging for administrative expenses; expands the area plan requirements to include coordination of certain programs with local services for elderly Alzheimer's disease victims.

Authorizes $20 million in FY 1988 for ombudsman programs and strengthens the program requirements at the State level.

Requires that area and State plans document the minority population within service areas and how their needs were met in the previous fiscal year; provides further direction in targeting services to those in greatest need; requires area agencies to consider the number of older Native Americans with low incomes in planning and conducting outreach activities and places increased emphasis on minority elderly, especially Indians, in Title IV research and training programs; establishes an interagency task force to identify ways to facilitate and improve services to older Indians.

Modifies the provisions for a reduction in a States's allotment by the percentage decline in State expenditures to reflect the average change over the previous three years; authorizes $10 million in FY 1988 for new programs for non-medical in-home services for frail older individuals and preventive health screening, health education, and promotion services; authorizes $5 million in FY 1988 for programs to prevent abuse of older individuals.

Demonstration Grants: Authorizes $3 million in FY 1988 for demonstration grants to State and area agencies on aging to provide outreach and application assistance for SSI, Medicaid, and Food Stamps to elderly individuals who are eligible for, but not receiving this assistance; authorizes $1 million annually in FY 1988–89 for demosntration grants to States for cooperative projects between State long-term care ombudsman programs and State protection and advocacy systems; authorizes $2 million annually in FY 1989–90 for grants to demonstrate effective methods for assuring that home care services provided under the Act are of high quality; authorizes $182 million in FY 1988–92 for Title IV training, research and discretionary projects; requires the Commissioner to fund the establishment or support of Multidisciplinary Centers of Gerontology and to support the development of comprehensive systems for long-term care.

Community Service Employment: Authorizes $2.137 billion in FY 1988–92 for Title V Community Service Employment; freezes the cap on administrative costs for employment projects at 13.5 percent and establishes specific criteria to be used for waiving the cap; excludes Title V wages from consideration as income in determining eligibility for Federally subsidized housing and Food Stamps.

Elderly Americans CPI: Requires the Secretary of Labor to develop a Consumer Price Index which reflects the impact of inflation on elderly Americans.

Home-Health Care for Low-Income Individuals: Authorizes $100 million annually in FY 1988–90 for home health care for low-income individuals suffering from a catastrophic or chronic illness.

Food Assistance: Extends child care food assistance to adult day care centers.

Native American Programs: Specifies that Indians are eligible for services under both Titles III and VI; creates a new Title VI Part B program for grants to public or non-profit organizations to provide services to Native Hawaiians; and authorizes $97 million in FY 1988–92 for the Title VI Native American programs.

White House Conference on Aging: Authorizes a White House Conference on Aging in 1991.

Alzheimer's Research: Authorizes $2 million annually in FY 1988–89 for the Director of the National Institute on Aging to conduct clinical trials on the use of tetrahydroaminoacridine in treating Alzheimer's Disease.

NOTE: See Vote No. 373 on the conference report.

Bill passed. Yeas 98 (53D–45R); Nays 0; Not Voting 2 (1D–1R). August 6, 1987.

NOMINATION OF M. PETER McPHERSON TO BE DEPUTY SECRETARY OF THE TREASURY

VOTE NO. 230

Confirmation of the nomination of M. Peter McPherson, of Virginia, to be Deputy Secretary of the Treasury.

Nomination confirmed. Yeas 95 (51D–44R); Nays 2 (1D–1R); Not Voting 3 (2D–1R). August 6, 1987.

IRAN-IRAQ CEASEFIRE (H.J. Res. 216)

VOTE NO. 231

Passage of the joint resolution which states Congressional findings that continuation of the Iran-Iraq war would produce unacceptable levels of death and destruction incompatible with the humanitarian concerns and values of the American people and could result in an Iranian breakthrough which would threaten the stability of the entire region and would not be in the U.S. strategic interest; states U.S. policy in support of a ceasefire and negotiated solution to the conflict, including a withdrawal to the internationally recognized border, and the establishment of an international tribunal to investigate the origins of the conflict; and expresses the sense of the Congress that if either party to the conflict rejects peace negotiations and an internationally sanctioned ceasefire, including a withdrawal to the internationally recognized border, the U.S. should support internationally approved political and economic measures against that country and maintain existing restrictions on trade.

Joint resolution passed. Yeas 98 (53D–45R); Nays 0; Not Voting 2 (1D–1R). August 7, 1987.

Became Public Law 100–96.

NOMINATION OF NICHOLAS PLATT TO BE AMBASSADOR TO THE PHILIPPINES

VOTE NO. 232

Confirmation of the nomination of Nicholas Platt, of the District of Columbia, to be Ambassador to the Republic of the Philippines.

Nomination confirmed. Yeas 88 (50D–38R); Nays 3 (3R); Not Voting 9 (4D–5R). August 7, 1987.

PUBLIC DEBT LIMIT TEMPORARY INCREASE (H.R. 3190)

VOTE NO. 233

Passage of the bill which increases and extends the current temporary debt limit of $2.32 trillion (which expired on August 6, 1987) to $2.352 trillion until September 23, 1987, after which it will revert to the $2.111 trillion permanent level unless extended or increased.

Bill passed. Yeas 51 (33D–18R); Nays 39 (14D–25R); Not Voting 10 (7D–3R). August 7, 1987.

Became Public Law 100–84.

Voted

NOMINATION OF MELISSA F. WELLS TO BE AMBASSADOR TO MOZAMBIQUE

VOTE NO. 234

Fowler, et al., motion to close further debate on the nomination of Melissa F. Wells, of New York, to be the Ambassador to Mozambique.

Cloture motion agreed to. Yeas 65 (51D-14R), Nays 24 (1D-23R), Not Voting 11 (2D-9R). September 9, 1987.

VOTE NO. 235

Helms appeal of the ruling of the Chair that the Helms amendment (stating the sense of the Senate that the Secretary of State should seek a meeting with the representatives of opposing Mozambican armed forces to seek a negotiated settlement of the civil war and that humanitarian aid to Mozambique will be of marginal use until all foreign troops have left the country and the civil war has ended) to the Executive Journal is not in order.

Decision of chair sustained. Yeas 59 (50D-9R), Nays 28 (28R), Not Voting 13 (4D-9R). September 9, 1987.

ETHICAL CONDUCT OF SENATE POLITICAL COMMITTEES
(S. Res. 279)

VOTE NO. 236

Adoption of the resolution stating the sense of the Senate that the Senate and its agent political committees must be diligent in adhering to a code of conduct of the highest standard, avoiding even the appearance of improper, unethical, or illegal activity; candidates and their party committees should engage in positive and constructive campaigns, avoiding negative attacks calculated to impugn the character, integrity, or patriotism of a candidate; and the Senate, and the political committees of both parties, must renew their commitment and dedication to winning not only the votes of the citizenry, but their trust and confidence as well.

NOTE: The resolution was proposed in response to reports in the press of a lengthy paper prepared in April, 1987, by Donald W. Walker, Jr. of the Research Department of the National Republican Senatorial Campaign Committee, impugning the reputation of Senator Howard Metzenbaum. It set forth ways to portray Senator Metzenbaum as a Communist and to otherwise discredit his candidacy for re-election in 1988.

Resolution agreed to. Yeas 87 (51D-36R), Nays 0, Not Voting 13 (3D-10R). September 9, 1987.

NOMINATION OF MELISSA F. WELLS TO BE AMBASSADOR TO MOZAMBIQUE

VOTE NO. 237

Confirmation of the nomination of Melissa F. Wells, of New York, to be the Ambassador to Mozambique.

Nomination confirmed. Yeas 64 (49D-15R), Nays 24 (3D-21R), Not Voting 12 (2D-10R). September 9, 1987.

NOMINATION OF DAVID SENTELLE TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

VOTE NO. 238

Confirmation of the nomination of David B. Sentelle, of North Carolina, to be U.S. District Judge for the District of Columbia.

Nomination confirmed. Yeas 87 (51D-36R), Nays 0, Not Voting 13 (3D-10R). September 9, 1987.

CAMPAIGN FINANCING REFORM (S. 2)

VOTE NO. 239

Boren, et al., sixth motion to close further debate on the committee substitute, as modified, for the bill.

Cloture motion rejected. Yeas 53 (50D–3R), Nays 42 (2D–40R), Not Voting 5 (2D–3R). September 10, 1987.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 240

Byrd motion to proceed to consideration of the bill.

Motion to proceed agreed to. Yeas 79 (49D–30R), Nays 4 (4R), Not Voting 17 (5D–12R). September 11, 1987.

PHILIPPINES RESOLUTION (S. RES. 282)

VOTE NO. 241

Adoption of the resolution which sends the Senate's congratulations to the Philippine people and the loyal Philippine military for their commitment to democracy; renews the Senate's full support for the efforts of President Aquino in the development of Philippine democratic institutions; recognizes the overriding importance of defeating the communist insurgency and that economic recovery based on free enterprise is crucial to the attainment of a stable democracy; notes that U.S. law requires the suspension of aid if an elected head of state is overthrown; and urges the Philippine government to address the problems of corruption within the government.

Resolution agreed to. Yeas 73 (41D–32R), Nays 0, Not Voting 27 (13D–14R). September 11, 1987.

CAMPAIGN FINANCING REFORM (S. 2)

VOTE NO. 242

Adams, et al., seventh motion to close further debate on the committee substitute, as modified, for the bill.

Cloture motion rejected. Yeas 51 (48D–3R), Nays 44 (2D–42R), Not Voting 4 (4D), Live Pairs 1 (1R). September 15, 1987.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 243

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 67 (46D–21R), Nays 14 (14R), Not Voting 19 (8D–11R). September 15, 1987.

VOTE NO. 244

Byrd-Nunn perfecting amendment which states that the Senate: fully supports the efforts of the President to negotiate stabilizing, equitable, and verifiable arms reduction treaties with the USSR; endorses the principle of mutuality and reciprocity in U.S. arms control negotiations with the USSR and cautions that neither the Congress nor the President should take actions which are unilateral concessions to the USSR; and urges the President to take care that no provisions are agreed to which would be harmful to the security of the U.S. or its allies and friends.

Amendment agreed to. Yeas 92 (52D–40R), Nays 1 (1R), Not Voting 7 (2D–5R). September 15, 1987.

VOTE NO. 245

Warner-Dole, et al., perfecting amendment (to the Glenn amendment) which states that Congress fully supports the President in his negotiations with the Soviet Union and recognizes the President's constitutional role as the sole voice of the U.S. in treaty negotiations; and that Congress must not: (1) intrude in this process by acting to constrain a President's flexibility in reaching agreements with foreign nations, (2) take actions equivalent to unilateral concessions to the Soviet Union on arms control and specifically on issues that the Soviets cannot achieve at the negotiating table, (3) act to further the interests of the Soviet Union by unilaterally adopting Soviet negotiating positions that have been rejected by the U.S. government, and (4)

DOD AUTHORIZATION—Continued

seek to establish, in U.S. domestic law, positions on matters such as ASAT, nuclear testing, SALT II compliance, ABM Treaty interpretation, and the role of chemical weapons, at a time when such sensitive arms control subjects are being negotiated.

Amendment rejected. Yeas 35 (35R), Nays 59 (52D–7R), Not Voting 6 (2D–4R). September 15, 1987.

VOTE NO. 246

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 83 (49D–34R), Nays 10 (10R), Not Voting 7 (5D–2R). September 16, 1987.

VOTE NO. 247

Quayle amendment which states congressional findings that: (1) the 1972 ABM treaty prohibits deploying both early warning radars (except at locations along the periphery of either nation's territory) and an ABM system to defend either country's national territory, (2) large phased-array radars were recognized during negotiation of the Treaty as the critical, long lead-time element against ballistic missiles, (3) the Krasnoyarsk radar is more than 700 kilometers from the Soviet border and is identical to other Soviet ballistic early warning radars and is situated to fill the gap in a nationwide Soviet ballistic missile early warning radar network, and (4) the President has certified that the Krasnoyarsk radar is an unequivocal violation of the Treaty; and states the sense of the Congress that the Soviet Union is in violation of its legal obligation under the 1972 ABM Treaty.

Amendment agreed to. Yeas 89 (49D–40R), Nays 0, Not Voting 11 (5D–6R). September 16, 1987.

VOTE NO. 248

Nunn motion to table the Warner, et al., amendment which strikes section 233 (the Levin–Nunn provision) that prohibits for two years the expenditure of funds for testing or developing mobile or space-based ABMs unless the President submits a report to Congress setting forth the specific tests proposed to be undertaken, mission and funding information, details about consultations with U.S. allies, and a legal analysis of the proposed actions, and Congress passes a joint resolution approving the proposal.

Motion to table agreed to. Yeas 58 (50D–8R), Nays 38 (1D–37R), Not Voting 4 (3D–1R). September 17, 1987.

VOTE NO. 249

Dixon–Simon amendment to permit the Department of Defense to procure manual typewriters from Warsaw Pact countries that have a Most-Favored-Nation trading status with the U.S.

Amendment agreed to. Yeas 53 (36D–17R), Nays 41 (15D–26R), Not Voting 6 (3D–3R). September 17, 1987.

VOTE NO. 250

Glenn motion to table the Warner modified perfecting amendment (to the Glenn amendment) which loosens the standard by which the Secretary of Defense may award an SDI contract to a foreign firm.

NOTE: Subsequently, the Glenn amendment was agreed to by voice vote.

Motion to table agreed to. Yeas 50 (44D–6R), Nays 45 (8D–37R), Not Voting 5 (2D–3R). September 17, 1987.

VOTE NO. 251

Nunn–Quayle–Warner amendment to make the prohibition on the awarding of SDI organization research contracts inapplicable to any contract awarded to a foreign government or firm which agrees to fund a substantial portion of the total contract cost.

Amendment agreed to. Yeas 61 (19D–42R), Nays 32 (30D–2R), Not Voting 7 (5D–2R). September 17, 1987.

VOTE NO. 252

Exon motion to table the Stevens–Heflin, et al., amendment to strike section 505 (the Exon amendment) which allows State governors to withhold consent unconditionally for active duty for Federal training of units or members of the Army or Air National Guard unless the President certifies to the governor that U.S. national security requires such action by the President.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 29 (26D-3R), Nays 66 (24D-42R), Not Voting 5 (4D-1R). September 17, 1987.

VOTE NO. 253

Helms-Symms, et al., perfecting amendment (to the Helms, et al., amendment—Vote No. 254) stating the sense of the Senate that the U.S. policy toward Central America should be based on the principles of the Monroe Doctrine, to wit: "the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European Power. . . we could not view any interposition for the purpose of oppressing them, or controlling, in any other matter, their destiny, by any European Power in any other light than as the manifestation of an unfriendly disposition towards the United States."

Amendment agreed to. Yeas 90 (46D-44R), Nays 2 (2D), Not Voting 8 (6D-2R). September 17, 1987.

VOTE NO. 254

Nunn motion to table the modified Helms-Armstrong, et al., amendment which authorizes $310 million for military assistance to the Contras for the period ending March 31, 1989, unless the President certifies to the Congress before September 30, 1987, that (1) there are no Soviet, Cuban, or Communist bloc bases established in Nicaragua that pose a threat to the U.S. and the other Democratic governments in the hemisphere; (2) Nicaragua poses no military threat to its neighbors; and (3) the Nicaraguan government respects the basic human rights of its people including political rights guaranteed in the Nicaraguan constitution and pledges made to the OAS with respect to free speech, free press, religious liberty, and free orderly elections.

Motion to table agreed to. Yeas 61 (46D-15R), Nays 31 (2D-29R), Not Voting 8 (6D-2R). September 17, 1987.

VOTE NO. 255

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 73 (43D-30R), Nays 8 (8R), Not Voting 19 (11D-8R). September 18, 1987.

VOTE NO. 256

Warner motion to table the Hatfield-Bumpers-Adams-Murkowski amendment (taking with it an Adams perfecting amendment) which provides that, notwithstanding any other provision of law, the War Powers Resolution shall be deemed to apply beginning 48 hours after the designation of the imminent danger zone on August 25, 1987, and the use of U.S. Armed Forces in such zone, as if the report pursuant to section 4(a) of that resolution has been transmitted within such period.

Motion to table agreed to. Yeas 50 (15D-35R), Nays 41 (34D-7R), Not Voting 9 (5D-4R). September 18, 1987.

VOTE NO. 257

Dixon motion to table the Helms amendment which requires the Air Force to replace 50 existing single-warhead Minuteman II missiles with MIRVed Minuteman III missiles, to be paid for from Air Force operations and maintenance funds, and which would put the U.S. in the position of breaching another SALT II sublimit.

Motion to table agreed to. Yeas 51 (40D-11R), Nays 33 (3D-30R), Not Voting 16 (11D-5R). September 18, 1987.

SENATE PROCEDURE

VOTE NO. 258

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion agreed to. Yeas 79 (44D-35R), Nays 7 (7R), Not Voting 14 (10D-4R). September 22, 1987.

Voted

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 259

Exon motion to table the Johnston-Proxmire-Evans, et al., amendment which authorizes $3.7 billion for the Strategic Defense Initiative, a $200 million increase over last year's spending, in order to cover inflation, rather than a $1 billion increase as provided for in the bill.

Motion to table agreed to. Yeas 50 (13D-37R), Nays 50 (41D-9R). (Note: Vice President voted yea to break tie.) September 22, 1987. ______

VOTE NO. 260

Quayle motion to table the Kerry-Chafee-Simon, et al., amendment to continue the existing two-year moratorium on the testing of the Space Defense System (anti-satellite weapon) against an object in space until October 1, 1988, or until the President certifies to Congress that the Soviet Union has conducted, after the date of this Act's enactment, a test against an object in space of a dedicated anti-satellite weapon.

Motion to table agreed to. Yeas 51 (13D-38R), Nays 47 (39D-8R), Not Voting 2 (2D). September 22, 1987. ______

SENATE PROCEDURE

VOTE NO. 261

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion agreed to. Yeas 80 (44D-36R), Nays 8 (8R), Not Voting 12 (10D-2R). September 23, 1987. ______

PUBLIC DEBT LIMIT (GRAMM-RUDMAN-HOLLINGS) (H.J. Res. 324)

VOTE NO. 262

Adoption of the conference report on the bill which increases the permanent debt limit to $2.8 trillion, and reinstates and revises the automatic sequestration process of the original Gramm-Rudman-Hollings law.

Defense Flexibility: Allows the President to exempt military personnel from sequester if he notifies Congress by a date certain; specifies that the total amount sequestered from defense cannot be changed; permits the President to submit a single proposal to Congress to redistribute defense reductions within and across defense accounts; prohibits any increase in a program, project, or activity above the appropriated level; requires the report, in order to become effective, to be affirmed by an amendable joint resolution of Congress considered under expedited procedures.

Deficit Reduction Amounts: Sets the maximum sequester in 1988 at $23 billion, in 1989 at $36 billion, and in the years thereafter, at an amount equal to the amount necessary to reach the fixed deficit targets regardless of size.

Prorates the sequester amount for the period covered by a continuing resolution if a sequester order is issued before full year appropriations are in effect; makes the amount of funds withheld applicable to the full sequester amount when the full-year appropriation measure has been enacted.

Limits the amount that a sequester can cut an account; credits the amount of savings below baseline in an account resulting from full year appropriations toward the sequester amount; reduces the size of the sequester accordingly; and specifies that an account's final available funding level as a result of a sequester cannot be lower than the baseline level minus the sequester amount as specified in the final order.

OMB Constraints: Contains legislative language constraining OMB with respect to economic and technical assumptions in its baseline estimate, including aggregate defense or nondefense outlay spending rates, medicare outlays, pay increases, advanced farm deficiency and paid land diversion payments, and appropriated entitlements; requires OMB, in 1988, to use the economics and technical assumptions it released in its August 20, 1987, sequester report.

Includes within the baseline inflation (4.2 percent in FY 1988 and OMB January estimate of the increase in the GNP deflator for later years) and adjustments for pay raises, FERS, and related personnel costs for the purpose of measuring the deficit and deficit reduction.

Voted

Specifies that asset sales (including REA) would not be counted towards required deficit reductions in any year.

Sets forth an expedited procedure for congressional modification of the final sequester order if Congress disagrees with OMB's determinations.

Budget Process Provisions: Contains sense of the Congress provisions regarding a two-year appropriations and financial management reform; prohibits counting savings from year to year transfers; extends State and local cost estimates; extends Senate reconciliation restrictions (Byrd rule); prohibits policy deferrals; prohibits resubmission of rescission requests; requires one set of economic assumptions in the Senate; requires a CBO study of credit reform; and clarifies time limits for budget resolutions, appeals of certain rulings in the Senate, and waivers of section 302(c) of the Budget Act.

Conference report agreed to. Yeas 64 (31D-33R), Nays 34 (21D-13R), Not Voting 2 (2D). September 23, 1987.

Became Public Law 100-119.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 263

Bingaman motion to table the Weicker amendment to transfer $200 million in FY 1988 and 1989 each from DOD research, development, test, and evaluation funding to the National Institutes of Health to support medical research conducted in the interest of the health of Armed Forces personnel.

Motion to table agreed to. Yeas 64 (26D-38R), Nays 34 (26D-8R), Not Voting 2 (2D). September 23, 1987.

VOTE NO. 264

McCain-Warner-Dole amendment stating the sense of the Congress that the U.S. would welcome an initiative by Japan to assume a politically acceptable and significant global security role consistent with its economic status by: increasing its Official Development Assistance program funding to three percent of its GNP by 1992; devoting increased Official Development Assistance expenditures outside of east Asia, particularly Oceania, Latin America, the Caribbean, and Mediterranean nations; devoting an increased portion of the fund to concessional untied grants and multilateral financial institutions of which Japan is a member; consulting with its security partners as to which nations should receive such assistance; and expanding its Official Development Assistance program without regard to its expenditures on defense.

Amendment agreed to. Yeas 96 (51D-45R), Nays 1 (1R), Not Voting 3 (3D). September 24, 1987.

VOTE NO. 265

Symms amendment which requires the President to void the current embassy site and construction agreements between the U.S. and the Soviet Union and enter into negotiations for a new agreement under which the Soviet Union will move its new embassy to a site in the District of Columbia that is no more than 90 feet above mean sea level.

Amendment agreed to. Yeas 70 (33D-37R), Nays 27 (18D-9R), Not Voting 3 (3D). September 24, 1987.

VOTE NO. 266

Dodd, et al., amendment stating the sense of the Congress that the U.S. should: cease all economic and military assistance to Panama, except to meet immediate humanitarian concerns; suspend all shipments of military equipment and spare parts to Panama; and prohibit the importation into the U.S. of Panamanian sugars, syrups, or molasses, and reallocate its sugar import quota among other foreign countries; unless, no later than 45 days after enactment, (1) the Panamanian government has demonstrated substantial progress in the effort to assure civilian control of the Armed Forces and the Panama Defense Forces and its leaders have been removed from nonmilitary activities and institutions, (2) it has established an independent investigation into allegations of illegal actions by members of the Panama Defense Forces, (3) a nonmilitary transitional government is in power, and (4) freedom of the press and all other constitutional guarantees to the Panamanian people are restored.

Amendment agreed to. Yeas 97 (51D-46R), Nays 0, Not Voting 3 (3D). September 24, 1987.

DOD AUTHORIZATION—Continued

VOTE NO. 267

Reid motion to table the Hatfield-Kennedy, et al., amendment which, beginning 270 days after enactment, imposes a two-year moratorium on spending to conduct underground nuclear explosions (1) with a yield greater than one kiloton each, except for two designated test explosions, each with a yield not exceeding 15 kilotons, (2) in a weak-coupling geologic media, (3) at a location not part of a "designated test area," and (4) unless a public announcement of the test has been made at least 30 days prior to the explosion; provides that the testing moratorium shall cease if the President certifies to Congress that the USSR has violated any of the first three conditions listed above or has refused to implement reciprocal, in-country monitoring arrangements, and Congress has passed a joint resolution approving the certification; and that the moratorium also shall cease to apply if supplanted by an agreement, accord, or treaty between the U.S. and the USSR which reduces the number or yield of underground nuclear explosions further than permitted by any treaties signed before January 1, 1987.

Motion to table agreed to. Yeas 61 (21D-40R), Nays 36 (30D-6R), Not Voting 3 (3D). September 24, 1987.

VOTE NO. 268

Nunn motion to table the Hatfield-Pryor, et al., amendment which prohibits the expenditure of funds for the final assembly of lethal binary chemical weapons before October 1, 1988.

Motion to table agreed to. Yeas 53 (19D-34R), Nays 44 (32D-12R), Not Voting 3 (3D). September 24, 1987.

VOTE NO. 269

Shelby motion to table the Pryor-Hatfield, et al., amendment which prohibits the use of funds for the procurement or assembly of the BIGEYE binary chemical bomb until specific legislation authorizing procurement has been enacted.

NOTE: The prohibition does not apply to funds obligated solely for research, development, testing, and evaluation in connection with the BIGEYE program.

Motion to table agreed to. Yeas 49 (15D-34R), Nays 48 (36D-12R), Not Voting 3 (3D). September 24, 1987.

VOTE NO. 270

Helms amendment stating the sense of the Senate that the U.S. Navy is fully justified in sinking any Iranian vessel which threatens the safe passage of any American warship or any other vessel known to have any U.S. citizen on board and that this provision shall not in itself be construed as legislative authority for any specific military operation.

Amendment agreed to. Yeas 91 (49D-42R), Nays 4 (2D-2R), Not Voting 5 (3D-2R). September 24, 1987.

VOTE NO. 271

Dixon motion to table the Helms amendment stating the sense of the Senate that the Senate should not consent to the ratification of any treaty with the USSR to limit intermediate nuclear forces unless the treaty is unquestionably verifiable; nor should any such treaty be signed unless and until the President has certified to Congress that the USSR is no longer violating the ABM Treaty.

Motion to table agreed to. Yeas 62 (45D-17R), Nays 28 (3D-25R), Not Voting 10 (6D-4R). September 24, 1987.

TREASURY-POSTAL SERVICE APPROPRIATIONS, 1988 (H.R. 2907)

VOTE NO. 272

Passage of the bill which appropriates a total of $15,067,250,000 in new budget authority for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies for FY 1988, including $11 million in reappropriations resulting from the Supplemental Appropriations Act of 1987 (P.L. 100-71).

Includes $225 million for the Bureau of Alcohol, Tobacco, and Firearms (BATF); $1.1 million for the U.S. Customs Service; $217 million for the Bureau of the Public Debt; $5 billion for the IRS; $373 million for the U.S. Secret Service; $517 million for the Payment to U.S. Postal Service Fund; $107.3 million for the Executive Office of the President; $38 million for the OMB; and $301.6 million for the General Services Administration (GSA); $6.6 billion for the Office of Personnel Management

Prohibits the use of funds to implement or enforce BATF's rule TD ATF-66 issued June 13, 1980, on the labeling and advertising of wine, distilled spirits, and malt beverages.

Requires the Customs Service, before making any decision to close a Customs office, to notify the Committee and affected Members of Congress, coordinate and obtain final approval from the Committee; precludes the Customs Service from reducing the number of Customs regions below the current level of seven during FY 1988.

Limits to $3.0 billion the overall expenditures from the GSA Federal Buildings Fund; includes $83.5 million for major capital improvements to U.S.-Mexico border facilities and $14 million for the design of new headquarters for the Environmental Protection Agency.

Contains provisions governing the reprogramming and transfer of funds contained in this bill.

Restates the current prohibition on the use of Federal funds for abortions or administrative expenses in connection with any health plan under the Federal Health Benefit Program except where the life of the mother would be endangered if the fetus were carried to term.

Directs GSA and OPM to respond expeditiously to priority requests related to Federal efforts to combat Acquired Immunodeficiency Syndrome (AIDS) from the Directors of the Centers for Disease Control or the National Institute of Allergy and Infectious Diseases.

Prohibits the Postal Service from imposing fees for furnishing postal addresses in connection with State and local child support programs.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$14,049,949,800
1988 Budget Estimate	14,616,851,000
Approved by House	15,359,018,000
Approved by Senate	15,067,250,000
Enacted	15,126,699,000

NOTE: Compromise provisions of this bill are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 84 (49D-35R), Nays 7 (1D-6R), Not Voting 9 (4D-5R). September 25, 1987.

In Public Law 100-202.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 273

Dixon motion to table the Roth amendment which makes non-NATO allies (such as Israel) eligible to bid on DOD contracts for maintenance associated with the European Workload Program and to perform that work outside the area in which the equipment is located.

NOTE: Current law requires that DOD maintenance work on U.S. military equipment stationed overseas be performed by companies in the area in which the equipment is located.

Motion to table agreed to. Yeas 49 (38D-11R), Nays 48 (14D-34R), Not Voting 3 (2D-1R). September 25, 1987.

CONTINUING APPROPRIATIONS, 1988 (H.J. Res. 362)

VOTE NO. 274

Passage of the joint resolution which makes continuing appropriations to remain available from October 1, 1987, until November 10, 1987, or enactment of the applicable appropriation bill, whichever occurs first, for all programs and activities funded under the 13 major appropriations bills at their current level, except foreign assistance, which is funded at the current level or the President's budget request, whichever is lower, and except for aid to the Contras which is funded only for humanitarian assistance at the rate of $2.65 million per month; and includes a provision to permit the expenditure of funds for intelligence activities because the intelligence authorization bill has not yet been funded.

Joint resolution passed. Yeas 70 (44D-26R), Nays 27 (8D-19R), Not Voting 3 (2D-1R). September 25, 1987.

Became Public Law 100-120.

Voted

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 275

Heinz, et al., amendment which provides that 50 percent of the U.S. assessed contributions to the United Nations may not be obligated until the President certifies to Congress that significant progress has been made in eliminating the excessive use of "secondment" by member states and the blatant control of UN employees by their national governments.

Amendment agreed to. Yeas 95 (51D–44R), Nays 0, Not Voting 5 (3D–2R). September 25, 1987.

VOTE NO. 276

Glenn motion to table the Lautenberg, et. al., amendment—Vote No. 277.

Motion to table failed. Yeas 42 (13D–29R), Nays 55 (39D–16R), Not Voting 3 (2D–1R). September 25, 1987.

VOTE NO. 277

Lautenberg, et al., amendment which permits members of the Armed Forces to wear an item of religious apparel while in uniform, if the item is being worn as part of a religious observance of the member's faith and the Secretary of the member's service determines that the item is neat and conservative and does not interfere with the performance of military duty.

Amendment agreed to. Yeas 55 (39D–16R), Nays 42 (13D–29R), Not Voting 3 (2D–1R). September 25, 1987.

VOTE NO. 278

Dixon motion to table the Helms–D'Amato amendment which provides that, notwithstanding existing conventions on diplomatic relations, members of a foreign diplomatic mission and a foreign consular post (other than diplomatic agents and consular officers) shall not be entitled to immunity from the criminal jurisdiction of the U.S. or any State for any crime of violence, reckless driving, or driving while intoxicated or using drugs; allows the President, when considering factors of reciprocity and international law obligations, to exclude from the coverage of this provision up to 5,000 foreign nationals who are family of foreign diplomats or support staff of foreign diplomatic or international missions; and requires that persons who are convicted be declared *persona non grata* and expelled.

Motion to table agreed to. Yeas 48 (39D–9R), Nays 46 (13D–33R), Not Voting 6 (2D–4R). September 25, 1987.

NOMINATION OF WILLIAM S. SESSIONS TO BE DIRECTOR OF THE FBI

VOTE NO. 279

Confirmation of the nomination of William S. Sessions, of Texas, to be Director of the Federal Bureau of Investigation.

Nomination confirmed. Yeas 90 (50D–40R), Nays 0, Not Voting 10 (4D–6R). September 25, 1987.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 280

Conrad, et al., amendment expressing the sense of the Congress that the President should enter into negotiations with countries which participate in mutual defense alliances with the U.S., especially NATO nations and Japan, for the purpose of reaching an agreement on a more equitable distribution of the burden of financial support for the alliances and establishing a schedule of defense spending increases by NATO nations and Japan or a system of offsetting payments designed to achieve a division of responsibility for defense spending between those allies and the U.S. that is commensurate with their resources, and that the President should report to Congress within one year of enactment on the progress of these negotiations.

Amendment agreed to. Yeas 90 (49D–41R), Nays 4 (2D–2R), Not Voting 6 (3D–3R). September 29, 1987.

VOTE NO. 281

Dole, et al., amendment which states the sense of the Senate that U.S. Armed Forces members who participated in the September 21-22 operation directed at the Iranian mine-laying ship acted in the finest traditions of the Armed Forces and displayed exemplary professionalism, skill, and dedication, and are to be commended.

Amendment agreed to. Yeas 96 (52D–44R), Nays 0, Not Voting 4 (2D–2R). September 29, 1987.

VOTE NO. 282

Byrd–Nunn amendment which requires the Secretary of Defense to report to Congress, in both classified and unclassified form, regarding nuclear deterrence in Europe and the maintenance of NATO's flexible response strategy, in the event of an arms control agreement between the U.S. and the Soviet Union; requires that the report be submitted within 90 days of enactment of this bill or upon the President's submission of an Intermediate-range Nuclear Forces treaty to the Senate for ratification, whichever is earlier.

Amendment agreed to. Yeas 96 (52D–44R), Nays 0, Not Voting 4 (2D–2R). September 29, 1987.

VOTE NO. 283

Dole–Byrd, et al., amendment which prohibits the importation of all products into the U.S. from Iran; permits the President to delay implementing the prohibition for up to 180 days if he submits a report to Congress explaining his reasons for doing so and specifying how the national interest would be jeopardized by its implementation; and provides that this prohibition would go into effect following any such 180 day delay unless further extended by enactment of a joint resolution.

Amendment agreed to. Yeas 98 (52D–46R), Nays 0, Not Voting 2 (2D). September 29, 1987.

VOTE NO. 284

Dixon motion to table the Gramm amendment which limits the application of the Davis–Bacon Act to DOD construction projects by increasing the contract threshold from $2,000 to $250,000, above which the Secretary of Labor must make prevailing wage rate determinations.

Motion to table agreed to. Yeas 56 (46D–10R), Nays 41 (6D–35R), Not Voting 3 (2D–1R). September 29, 1987.

VOTE NO. 285

Dixon motion to table the Gramm amendment which limits the application of the Service Contracting Act (SCA) to defense contracts by raising the threshold from $2,500 to $1 million (below which the prevailing wage rate determinations of the SCA shall not apply), restricts the SCA's application to DOD contracts wholly related to services, and limits its application for services to be performed on a vessel only if 20 percent of the contract is to be performed in the U.S.

Motion to table agreed to. Yeas 67 (52D–15R), Nays 30 (30R), Not Voting 3 (2D–1R). September 29, 1987.

VOTE NO. 286

Helms–Dixon amendment which states Congressional findings that the Department of State on September 15, 1987, declared itself to be a temporary foreign diplomatic mission (for the duration of the visit of the Soviet Foreign Minister Shevardnadze) for the purpose of denying free speech to American citizens who planned to protest the tyranny of the Soviet regime; and prohibits the Department from declaring itself to be a foreign diplomatic mission.

Amendment agreed to. Yeas 90 (45D–45R), Nays 7 (6D–1R), Not Voting 3 (3D). September 29, 1987.

VOTE NO. 287

Dixon motion to table the Wilson–Cranston amendment which requires that: the Secretary of the Army lease to the County of San Francisco, at no cost, property on the Presidio Army Base currently occupied by the Defense Language School; the county use of the property solely for the treatment of persons with AIDS or AIDS-related complex; the Secretary determine and report to the Comptroller General, within 90 days of enactment, the most economically feasible manner of accomplishing the

DOD AUTHORIZATION—Continued

property transfer; and the transfer be made as soon as praticable after the Comptroller General reprorts to Congress.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 23 (23D), Nays 75 (29D–46R), Not Voting 2 (2D). September 29, 1987.

INTERIOR DEPARTMENT APPROPRIATIONS, 1988 (H.R. 2712)

VOTE NO. 288

Passage of the bill which appropriates a total of $10,019,754,000 in new budget authority for the Department of the Interior and related agencies for FY 1988.

Contains $694.9 million for the Bureau of Land Management; $444.4 million for the Fish and Wildlife Service; $871.7 million for the National Park Service; $449.9 million for the Geological Survey; $311.1 million for the Office of Surface Mining Reclamation and Enforcement; $1.1 billion for the Bureau of Indian Affairs; $1.7 billion for the Forest Service; $2.2 billion for the Department of Energy (which includes $164.2 million for Strategic Petroleum Reserve (SPR) construction, and $806.9 million for SPR petroleum acquisition and transportation); $1 billion for Indian health services; $66.3 million for Indian education.

Provides an SPR fill rate of 75,000 barrels per day through the first four months of FY 1988 and thereafter 100,000 barrels of oil per day to provide a total inventory of 568 million barrels of crude oil in the Federal reserve by the end of FY 1988.

Continues the prohibition on the export of timber harvested on National Forest Service lands; prohibits the use of funds in this bill to produce literature or otherwise promote public support for a legislative proposal on which legislative action is incomplete; continues the prohibition on the use of funds to process or issue leases for coal, oil, gas, oil shale, or geothermal resources on wilderness lands and Forest Service RARE II further planning and BLM wilderness study areas.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$8,441,492,000
1988 Budget Estimate	8,632,818,000
Approved by House	9,441,834,000
Approved by Senate	10,019,754,000
Enacted	9,287,523,000

NOTE: Compromise provisions of this bill are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 92 (50D–42R), Nays 4 (1D–3R), Not Voting 4 (3D–1R). September 30, 1987.

In Public Law 100–202.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1988 (H.R. 2713)

VOTE NO. 289

Harkin motion to table the Nickles amendment which prohibits the use of Federal and District of Columbia funds to perform abortions except where the life of the mother would be endangered if the fetus were carried to term.

NOTE: The Committee-reported language, which the Nickles amendment would replace, retains current law which prohibits the use of Federal funds—not D.C. funds—to perform abortions except where the life of the mother would be endangered if the fetus were carried to term or in cases of rape, incest, or ectopic pregnancy.

Motion to table agreed to. Yeas 60 (44D–16R), Nays 39 (9D–30R), Not Voting 1 (1D). September 30, 1987.

VOTE NO. 290

Harkin motion to table the Helms amendment which prohibits the obligation or expenditure of funds for the Federal payment to the District of Columbia after December 31, 1987, if the D.C. City Council has not by that date repealed D.C. Law 6–170, which prohibits insurance companies from requiring applicants to test for AIDS, using any test to deny, amend, cancel or refuse to renew coverage, or raising premiums for five years for those who test positive for any AIDS-related agent.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 44 (34D-10R), Nays 55 (19D-36R), Not Voting 1 (1D). September 30, 1987.

VOTE NO. 291

Passage of the bill which appropriates $564,618,000 in Federal funds and approves $2,627,742,000 in District of Columbia funds for FY 1988 making a total of $3,192,360,000 available for the operations and activities of the District.

Restates the prohibition on the use of Federal funds to perform abortions except in cases of rape or incest, or where the life of the mother is endangered and includes language allowing Federal funds to be used for medical procedures necessary to terminate ectopic pregnancies.

Prohibits the use of Federal funds appropriated for the District after December 31, 1987, if the D.C. Council has not repealed D.C. Law 6-170 which prohibits insurance companies from (1) requiring applicants to test for Acquired Immune Deficiency Syndrome (AIDS), (2) using any test to deny, amend, cancel, or refuse to renew insurance coverage, and (3) raising premiums for individuals who test positive for any AIDS-related agent.

BUDGET AUTHORITY CONSIDERED

	Federal Funds	*DC Funds*
1987Appropriations	$560,380,000	$3,060,407,000
1988 Budget Estimate	507,070,000	3,070,183,000
Approved by House	555,118,000	3,070,183,000
Approved by Senate	564,618,000	2,627,742,000
Enacted		550,000,000

NOTE: Compromise provisions of this bill are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 76 (45D-31R), Nays 23 (8D-15R), Not Voting 1 (1D). September 30, 1987.

In Public Law 100-202.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 292

Byrd motion to table the Byrd-Nunn, et. al., modified perfecting amendment (to the Weicker-Hatfield amendment No. 712) which states that Congress determines that the circumstances in the Persian Gulf and Gulf of Oman meet the conditions established in Section 4(a)(1) of the War Powers Resolution; requires the President within 30 days of enactment to submit a report to Congress, in both classified and unclassified forms, providing a complete review of the policy of escorting reflagged vessels in the Persian Gulf including the duration, objectives, and costs of the operation; and requires the President within 60 days after submission of the report or 90 days after enactment, whichever is earlier, to terminate the registration of reregistered vessels under U.S. law and the use of U.S. Armed Forces to escort these vessels in the Persian Gulf unless Congress has enacted specific authorization by joint resolution under expedited procedures.

NOTE: On October 1, the Weicker-Hatfield amendment was withdrawn, taking with it the Byrd-Nunn, et al., amendment thereto.

Motion to table failed. Yeas 1 (1D), Nays 99 (53D-46R). September 30, 1987.

LEGISLATIVE APPROPRIATIONS, 1988 (H.R. 2714)

VOTE NO. 293

Passage of the bill which appropriates $1,802,954,300 for the legislative branch in FY 1988; requires an affirmative vote of Congress before any pay raise for Members of Congress could take effect.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$1,722,401,914
1988 Budget Estimate	1,978,041,800

LEGISLATIVE APPROPRIATIONS, 1988—Continued

Approved by House	1,429,657,500
Approved by Senate	1,802,954,300
Enacted	1,808,819,500

NOTE: Compromise provisions of this bill are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 79 (44D–35R), Nays 19 (8D–11R), Not Voting 2 (2D). September 30, 1987.

In Public Law 100–202.

DOD AUTHORIZATION (H.R. 1748)

VOTE NO. 294

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 89 (51D–38R), Nays 9 (1D–8R), Not Voting 2 (2D). October 1, 1987.

VOTE NO. 295

Warner motion to table the Bumpers–Leahy–Chafee, et al., amendment which prohibits the expenditure before September 30, 1988, of funds appropriated pursuant to this or any other act to overhaul, maintain, operate, or deploy more than an aggregate total of 1,320 MIRVed launchers (ICBM's, SLBM's, and bombers with cruise missiles of which no more than 820 can be ICBM's and no more than 1,200 can be ICBM's and SLBM's); lifts the spending moratorium if, at any time more than 29 days after the date of enactment, the President certifies to Congress that the Soviet Union deploys strategic forces greater than the levels permitted above, or a new agreement between the U.S. and the Soviet Union relating to the deployment of strategic offensive weapons becomes effective.

Motion to table failed. Yeas 44 (7D–37R), Nays 55 (47D–8R), Not Voting 1 (1R). October 1, 1987.

VOTE NO. 296

Byrd, et al., motion to close further debate on the Byrd–Nunn, et al., modified perfecting amendment (to the Weicker–Hatfield amendment No. 712) which states that Congress determines that the circumstances in the Persian Gulf and the Gulf of Oman meet the conditions established in Section 4(a)(1) of the War Powers Resolution; requires the President, within 30 days of enactment, to submit a report to Congress, in both classified and unclassified forms, providing a complete review of the policy of escorting reflagged vessels in the Persian Gulf including the duration, objectives, and costs of the operation; and requires the President, within 60 days after submission of the report or 90 days after enactment, whichever is earlier, to terminate the registration of reregistered vessels under U.S. law and the use of U.S. Armed Forces to escort these vessels in the Persian Gulf unless Congress has enacted specific authorization by joint resolution under expedited procedures.

NOTE: By unanimous consent, the Senate agreed that the vote on the cloture petition presented on September 30, 1987, would occur on October 1 instead of October 2, and that this vote would be followed immediately by the second cloture vote on the bill, regardless of the result of the first vote. Cloture was sought on the amendment in an effort to get it adopted before cloture was invoked on the bill because if cloture were invoked on the bill, the amendment would not be germane.

Cloture motion rejected. Yeas 54 (53D–1R), Nays 45 (1D–44R), Not Voting 1 (1R). October 1, 1987.

VOTE NO. 297

Dole, et al., motion to close further debate on the bill.

NOTE: By unanimous consent, the Senate agreed that the vote on the cloture petition presented on September 30, 1987, would occur on October 1 instead of October 2, and that this vote would occur immediately after a cloture vote on the Byrd–Nunn, et al., amendment, regardless of the result of that vote. If cloture had been invoked on the bill, the Byrd–Nunn, et al., amendment would not have been germane.

Cloture motion rejected. Yeas 41 (2D–39R), Nays 58 (52D–6R), Not Voting 1 (1R). October 1, 1987.

VOTE NO. 298

Dole–Warner–Byrd amendment which provides that, notwithstanding any other provision of law, the U.S. shall not be obligated to abide by the provisions of the SALT II Treaty, in whole or in part, unless the Senate has amended the Treaty so as to give it legal force as if it were ratified; the Senate has given its advice and consent to the Treaty; the USSR has agreed to all amendments, reservations, and understandings upon which the Senate's advice and consent is conditioned; and each party has ratified the Treaty in accordance with its own constitutional processes.

Amendment agreed to. Yeas 97 (54D–43R), Nays 0, Not Voting 3 (3R). October 2, 1987. -------

VOTE NO. 299

Bumpers-Leahy-Chafee, et al., amendment which prohibits the expenditure before September 30, 1988, of funds appropriated pursuant to this or any other act to overhaul, maintain, operate, or deploy more than an aggregate total of 1,320 MIRVed launchers (ICBM's, SLBM's, and bombers with cruise missiles of which no more than 820 can be ICBM's and no more than 1,200 can be ICBM's and SLBM's); lifts the spending moratorium if, at any time more than 29 days after the date of enactment, the President certifies to Congress that the Soviet Union deploys strategic forces greater than the levels permitted above, or a new agreement between the U.S. and the Soviet Union relating to the deployment of strategic offensive weapons becomes effective.

Amendment agreed to. Yeas 57 (49D–8R), Nays 41 (5D–36R), Not Voting 2 (2R). October 2, 1987. -------

VOTE NO. 300

Passage of the bill which authorizes a total of $224.5 billion in FY 1988 and $166.1 billion in 1989 for the military activities of the Department of Defense.

MX/ICBM: Authorizes $1.2 billion to procure 21 MX missiles for operational testing, and provides $700 million for continued development of the small ICBM and $400 million for continued research on the proposed rail-garrison basing concept for the MX.

Strategic Defense Initiative (SDI): Authorizes $4.5 billion for SDI of which $4.12 billion is for DOD and $380 million is for DOE; prohibits the award of R&D contracts in connection with the SDI program to foreign countries or firms, except for R&D which the Secretary of Defense certifies cannot be competently performed in the U.S., and any contract awarded to a foreign government or firm which agrees to fund a substantial portion of the total contract cost; requires human action as part of SDI C3 architecture; requires the President to submit a classified and unclassified report on the effect of no ABM Treaty limitations on the SDI program; consolidates reporting requirements relating to the SDI program; sets forth conditions for the authorization of the establishment of a Federally-funded R&D center to support the SDI program.

Prohibits, for the two-year duration of this bill, expenditure of funds to test or develop mobile/space-based ABM's unless the President submits a report to Congress (which sets forth the specific tests that he proposed to undertake, mission and funding information, details about consultation with U.S. allies, and a legal analysis of the proposed actions) and Congress passes a joint resolution repealing this prohibition under expedited procedures.

Space Defense Systems—Anti-Satellite (ASAT): Authorizes $236.8 million for the space defense program; includes $46.6 million for the EMRLD program and $206.4 million in RDT&E funding to continue development of the F-15 MHV portion of the program.

Chemical Weapons: Authorizes $5 million for BIGEYE bomb procurement to complete low rate initial production.

Advanced Cruise Missile/Stealth: Approves the full budget request (classified) for the advanced technology bomber (Stealth), and makes marginal reductions in the budget request (classified) for advanced Cruise missile procurement.

B-1B: Authorizes $375.7 million for R&D in connection with the B-1 bomber and imposes tighter oversight controls on corrective measures for the B-1B's defensive avionics system.

Nimitz-class Aircraft Carrier/Trident: Authorizes $644 million for advanced procurement of nuclear components for the first of two Nimitz-class nuclear powered aircraft carriers, and $797 million in FY 1989 for advance procurement; authorizes $2.2 billion for procurement and $1.1 billion in R&D for the Trident II missile program and provides $1.3 billion for the Trident submarine program.

DOD AUTHORIZATION—Continued

MIRVed Launcher Limitations: Prohibits expenditure of funds before FY 1988 to overhaul, maintain, operate, or deploy more than an aggregate total of 1,320 MIRVed launchers (ICBMs, SLBMs, and bombers with cruise missiles), unless, at any time more than 29 days after enactment, the President certifies to Congress that the Soviet Union deploys strategic forces greater than these levels, or a new agreement between the U.S. and the Soviet Union relating to the deployment of strategic offensive weapons becomes effective.

U.S.-Soviet Arms Reduction Negotiations/ABM Treaty Compliance: States Senate support for the President's efforts to negotiate equitable and verifiable arms reduction treaties with the Soviet Union: endorses the principle of mutuality and reciprocity in arms control negotiations with the Soviets and cautions that neither the Congress nor the President should take actions which are unilateral concessions to the Soviets; urges the President to insure that no provisions are agreed to that are harmful to the U.S. or its allies; and expresses the sense of the Congress that the Soviet Union is in violation of its legal obligation under the 1972 ABM Treaty.

SALT II: Provides that, notwithstanding any other provision of law, the U.S. shall not be obligated to abide by the provisions of the SALT II Treaty unless the Senate has amended the Treaty so as to give it legal force as if ratified; the Senate has given its advice and consent to the Treaty; the USSR has agreed to all amendments, reservations, and understandings upon which the Senate's advice and consent is conditioned; and each party has ratified the Treaty in accordance with its own constitutional processes.

Threshold Test Ban Treaty (TTBT) Reports: Directs the Secretary of Defense to submit a report, within 30 days of enactment, discussing the current official U.S. method of estimating the yield of Soviet underground nuclear tests and the results of applying that method to past U.S. assessments of Soviet compliance with the 1974 TTBT, and a report on competitive strategies to the Armed Services Committees, in classified and unclassified versions, by January 15, 1988.

Soviet Embassy: Requires the President to void the current embassy site and construction agreements between the U.S. and the Soviet Union and enter into negotiations for a new agreement under which the Soviet Union will move its new embassy to a site in the District of Columbia that is no more than 90 feet above mean sea level.

NATO: Requires the Secretary of Defense to report on options available to NATO to ensure continued deterrence against war in Europe and continued NATO unity in light of the proposed Intermediate Range Nuclear Treaty, and to report on NATO's ability to maintain its strategy of deterrence through the 1990's.

United Nations: Prohibits obligation of 50 percent of the U.S. assessed contributions to the U.N., until the President certifies to Congress that significant progress has been made in eliminating the use of "secondment" by member states.

Persian Gulf: Directs the Secretary of Defense to develop contingency plans to deal with conditions created by significant disruptions in the production and transportation of crude oil from Persian Gulf nations.

Panama Military Assistance: Suspends shipments of military equipment and spare parts to Panama, and prohibits the importation into the U.S. of Panama sugars, syrups, or molasses, unless Panama has fulfilled several specified conditions, including the election of a nonmilitary transitional government and restoration of all constitutional guarantees.

Iranain Imports Ban: Prohibits the importation of all products into the U.S. from Iran; permits the President to delay the implementation of the prohibition for up to 180 days if he submits a report to Congress explaining his reasons for doing so and specifiying how the national interest would be jeopardized by implementation; and provides that the prohibition would go into effect following this delay unless further extended by enactment of a joint resolution.

Pay Raise: Provides a four percent pay raise effective January 1, 1988, for all military personnel.

Religious Apparel: Permits members of the Armed Forces to wear an item of religious apparel while in uniform, if the item is worn as part of a religious observance of the member's faith and the respective Service Secretary determines that the item is neat and conservative and does not interfere with the performance of military duty.

Voted

Drug Testing: Authorizes a drug/alcohol dependency testing program prior to enlistment or reenlistment in the armed forces.
NOTE: See Vote No. 384 on the conference report.
Bill passed. Yeas 56 (52D-4R), Nays 42 (2D-40R), Not Voting 2 (2R). October 2, 1987.

IRANIAN IMPORT BAN (S. 1748)

VOTE NO. 301

Passage of the bill which prohibits the importation of all products into the U.S. from Iran; permits the President to delay the implementation of the prohibition for up to 180 days if he submits a report to Congress explaining his reasons for doing so and specifying how the national interest would be jeopardized by the prohibition's implementation; and provides that the prohibition shall go into effect following any such 180 day delay unless further extended by enactment of a joint resolution.
Bill passed. Yeas 93 (49D-44R), Nays 0, Not Voting 7 (5D-2R). October 6, 1987.

STATE DEPARTMENT AUTHORIZATION (H.R. 1777)

VOTE NO. 302

Pell motion to table the Helms modified perfecting amendment (to the Wallop, et al., amendment) which prohibits the impeding or delaying of any national defense program in order to comply with any treaty, proposed treaty, or provision thereof which the President has certified that the USSR is violating unless the President certifies to Congress that the USSR is no longer violating the treaty or provision and has given formal assurance that it will not again use impact areas adjacent to Hawaii or any other State or territory of the U.S. for testing ICBM's or any other nuclear weapons delivery system.
Motion to table agreed to. Yeas 52 (43D-9R), Nays 43 (7D-36R), Not Voting 5 (4D-1R). October 6, 1987.

VOTE NO. 303

Wallop, et al., amendment, as amended by the Wallop amendment—Vote No. 302, which states the sense of the Congress that: the Soviet ICBM test near Hawaii has increased rather than decreased the risk of nuclear war; Congress condemns these Soviet actions, which were probable new violations of the SALT II Treaty, and demands an apology; the U.S. should officially, at the highest levels, protest this action and inform the USSR that it will not tolerate another flight test aimed directly at U.S. territory; and the President should report to Congress within 10 days, in both classified and unclassified form (1) the details of the tests, (2) Soviet explanations, (3) U.S. steps to ensure that such a test will not happen in the future, and (4) the effect a first-phase SDI system could have against a missile launched in similar proximity to U.S. territory.
Amendment agreed to. Yeas 96 (51D-45R), Nays 0, Not Voting 4 (3D-1R). October 6, 1987.

VOTE NO. 304

Pell-Helms amendment which states the sense of the Congress that the U.S. condemns human rights violations in Tibet by the People's Republic of China (PRC); requires a Presidential determination that the Chinese government is acting to resolve human rights issues in Tibet to accompany any sale of any defense article to the PRC; requires the Secretary of State to report to Congress, within 60 days, on the human rights situation in Tibet; earmarks $200,000 each for FY 1988-89 for assisting Tibetan refugees; and makes 15 scholarships to U.S. higher education institutions available to Tibetan students and professionals.
Amendment agreed to. Yeas 98 (52D-46R), Nays 0, Not Voting 2 (2D). October 6, 1987.

VOTE NO. 305

Danforth motion to table the Helms amendment (taking with it a Helms modified perfecting amendment which would force the Secretary of State to negotiate with RENAMO rebel forces in Mozambique, thereby implying their recognition by the U.S., which is contrary to the Administration's position) which prohibits the authorization of any funds by this or any other act for the use of constructing, acquiring, studying, planning, or solicit-

STATE DEPARTMENT AUTHORIZATION—Continued

ing funds for a residence for the Secretary of State or any other Cabinet member.

Motion to table agreed to. Yeas 61 (40D–21R), Nays 34 (10D–24R), Not Voting 5 (4D–1R). October 6, 1987.

SENATE PROCEDURE

VOTE NO. 306

Breaux motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 85 (52D–33R), Nays 13 (1D–12R), Not Voting 2 (1D–1R). October 7, 1987.

STATE DEPARTMENT AUTHORIZATION (H.R. 1777)

VOTE NO. 307

Pell motion to table the Roth–Dole amendment which imposes the same travel and other restrictions on diplomats who are in this country from East European nations and Cuba (which do not restrict travel of U.S. diplomats) as apply to diplomats from the Soviet Union unless the President reports in a classified document to the Intelligence Committees that national security and foreign policy circumstances require waiver of this provision for a country or a particular agency.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 36 (30D–6R), Nays 60 (22D–38R), Not Voting 4 (2D–2R). October 7, 1987.

VOTE NO. 308

Pell motion to table the Symms amendment expressing the sense of the Senate "that the Senate ought not to have consented to the ratification of the Panama Canal Treaties whereby the Panama Canal was given away and that such treaties are voidable unless and until Panama formally accepts the DeConcini Reservation, and should be voided by the President if such acceptance is not forthcoming within six months of the adoption of this section."

NOTE: The Symms amendment originally was offered as a 2nd degree amendment to a Bentsen amendment, increasing funds for a grant to the National Endowment for Democracy, with specific funds targeted to support elements of the free press in Nicaragua. Opponents argued that because the Senate was so strongly divided on the Symms amendment, the message the Senate was trying to send with the Bentsen amendment would be weakened and "might be seen as a source of some solace to the very people we are trying to send a different message to." Consequently, Senator Symms agreed to offer his amendment separately, and the Bentsen amendment was passed by voice vote.

Motion to table agreed to. Yeas 59 (44D–15R), Nays 39 (9D–30R), Not Voting 2 (1D–1R). October 7, 1987.

VOTE NO. 309

Hatfield-Pell-Boschwitz, et al., amendment whch requires the President to report to Congress, within 120 days, on the merits of transferring the authority to admit all refugees under the Immigration and Naturalization Act from the Attorney General to the Secretary of State; earmarks for each of FY 1988–89, $5 million for certain educational programs along the Thai–Laotian and Thai–Cambodian borders, $5 million from the Economic Support Fund to assist Thai villages affected by Indochinese refugee camps, and $2 million from the International Military Education and Training Assistance Fund to train and deploy the Royal Thai Army to protect refugees in Thailand; and states the sense of the Congress that: the international community should increase its efforts to assure that Indochinese refugee camps are protected, the President should allocate at least 28,000 admissions from East Asia, first asylum camps and at least 8,500 admissions for the Orderly Departure Program for each of the FY 1988–90, and Indochinese refugees who have lived in camps for three or more years should be considered eligible for refugee processing.

Amendment agreed to. Yeas 63 (35D–28R), Nays 33 (15D–18R), Not Voting 4 (4D). **October 7, 1987.**

Voted

VOTE NO. 310

Melcher modified amendment stating the sense of the Congress that the President should enter negotiations with the government of any country benefitting from the U.S. military protection of re-flagged Kuwaiti oil ships in the Persian Gulf to secure reimbursements based on a *pro rata* share of these costs.

Amendment agreed to. Yeas 95 (51D–44R), Nays 2 (2R), Not Voting 3 (3D). October 7, 1987. -------

VOTE NO. 311

Simpson motion to table the Chafee–Pell–Moynihan, et al., amendment which permits the spouse and/or children of an illegal alien who has already qualified for legalization of residence status (by entering the country prior to January 1, 1982, and maintaining continuous residence since that date) to also qualify for legalization of their illegal residence status, if they were in this country by November 6, 1986.

Motion to table agreed to. Yeas 55 (24D–31R), Nays 45 (30D–15R). October 7, 1987. -------

VOTE NO. 312

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 77 (47D–30R), Nays 11 (11R), Not Voting 12 (7D–5R). October 8, 1987. -------

VOTE NO. 313

Wilson-DeConcini, et al., amendment stating the sense of the Congress that the Soviet Union should not be included in any Arab–Israeli Peace Conference unless and until the USSR has re-established diplomatic relations with Israel, publicly accepted United Nations Resolutions 181, 242, and 338, and substantially increased and maintained Soviet Jewish exit visas, and Egypt, Israel, and Jordan have approved the Soviet Union's participation.

Amendment agreed to. Yeas 95 (49D–46R), Nays 0, Not Voting 5 (5D). October 8, 1987. -------

VOTE NO. 314

Helms amendment which prohibits the Department of State from soliciting or receiving funds for the construction, purchase, lease, or rental of, or any gift or bequest of real property or any other property for the purpose of providing living quarters for the Secretary of State.

Amendment agreed to. Yeas 48 (19D–29R), Nays 47 (31D–16R), Not Voting 5 (4D–1R). October 8, 1987. -------

VOTE NO. 315

Passage of the bill which authorizes a total of $3,630,749,000 for FY 1988 for the foreign affairs functions of the United States which includes $2,691,749,000 for the Department of State, $777.0 million for the United States Information Agency (USIA), and $162 million for the Board for International Broadcasting.

New Soviet Embassy: Prohibits the Soviets from occupying their new chancery in Washington, D.C., or any other new facility in that area until the Secretary of State and Director of Central Intelligence certify that there is a new U.S. chancery in Moscow, secure and suitable for U.S. embassy operations; requires the President to void the current embassy site and construction agreements with the Soviet Union and enter into negotiations for a new agreement under which the Soviet Union will move its new embassy to a site in D.C. that is no more than 90 feet above mean sea level.

Embassy Security: Contains a series of provisions addressing the new U.S. Chancery in Moscow and security at all U.S. embassies.

Soviet ABM Violations: Directs the President to report to Congress on whether Soviet violations of the ABM Treaty and its complete failure after ratification to reduce or limit the increase of Soviet offensive intercontinental nuclear weapons systems jeopardizes the U.S. national interest, and whether the U.S. should withdraw from the Treaty.

Soviet ICBM Test off Hawaii: States the sense of the Congress that the Soviet ICBM test near Hawaii has increased the risk of nuclear war; condemns the Soviet Union for its actions; states that the U.S. should officially, protest this action and that the President should submit a full report to Congress on the incident in 10 days, including the effect a first-phase SDI system

STATE DEPARTMENT AUTHORIZATION—Continued

could have against a missile launched in similar proximity to U.S. territory.

Persian Gulf: Requires the establishment of a plan that provides for a $T3pro rata$T1 sharing of costs among countries which benefit from the U.S. convoys in the Gulf.

United Nations: Contains $193.2 million for the U.N.; limits the funds available for the assessed U.S. contributions to the U.N. if the consensus-based decision-making process is not being implemented; restores the limitations on housing expenses for U.S. employees at the U.N. to the $1,500 per month that existed prior to 1981; establishes a commission to improve the effectiveness of the U.N.; prohibits obligation of 50 percent of the FY 1988 U.S. assessed contributions to the U.N. until the President certifies that significant progress has been made within the U.N. to eliminate foreign salary remission arrangements; bars U.S. participation in the U.N.'s Economic and Social Council until Israel is permitted to participate fully.

U.S. Advisory Commission on Public Diplomacy: Increases, from seven to nine, the membership of this Commission and provides that five would be appointed by the President and two each by the Chairman or Ranking Minority Member of the Senate Foreign Relations and House Foreign Affairs Committees, whichever member is not of the same political party as the President.

Voice of America (VOA): Contains $180 million for the VOA of which $10 million is earmarked for VOA's Cuba Service; creates a strong American preference for projects undertaken through VOA's facilities modernization program with certain narrowly drawn exceptions.

Global Climate Protection: Requires the President to establish a one-year Task Force on the Global Climate to oversee the development and implementation of a national strategy to combat global warming and to develop a strategy report to protect the global climate together with any legislative recommendations.

Diplomatic Immunity: Tightens certain provisions relating to dilomatic immunity to provide legal recourse for U.S. citizens injured in automobile accidents involving foreign diplomats.

Refugees: Expedites refugee admissions from Indochinese refugee camps and adjusts certain Polish nationals who fled Poland after martial law was imposed to permanent resident status; directs INS to process certain current and former Cuban political prisoners as refugees for entry into the U.S.; restores normal Cuban immigration from Cuba and third countries to the U.S.

International Parental Child Abduction: Makes international parental abduction a criminal offense and implements the 1980 Hague Convention on the Civil Aspects of International Parental Child Abduction.

Drug-Transiting Countries: Changes to February 15 the date by which the President must certify major drug-producing and transit countries; extends the congressional review period to 60 days; and imposes further sanctions against such countries.

NOTE: The Senate agreed to the conference report by voice vote on December 16, 1987.

Bill passed. Yeas 85 (44D-41R), Nays 8 (5D-3R), Not Voting 7 (5D-2R). October 8, 1987.

Became Public Law 100-204.

SENATE PROCEDURE

VOTE NO. 316

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 72 (46D-26R), Nays 13 (13R), Not Voting 15 (8D-7R). October 9, 1987.

WAR POWERS (S.J. Res. 194)

VOTE NO. 317

Dole motion to table the resolution which declares that the report described in section 4(a)(1) of the War Powers Resolution (requiring the submission of a report to Congress within 48 hours of the introduction of U.S. Armed Forces into "situations where imminent involvement in hostilities is clearly indicated by the circumstances") must be submitted to Congress not later than 48 hours after the attack on October 8, 1987, when an Ira-

nian vessel fired on a patrolling U.S. military helicopter necessitating an American response attack on the Iranian patrol boat in the Persian Gulf.

Motion to table failed. Yeas 37 (3D–34R), Nays 52 (45D–7R), Not Voting 11 (6D–5R). October 9, 1987. -------

PROMPT PAYMENT (S. 328)

VOTE NO. 318

Amends the Prompt Payment Act of 1982 to require the Federal government to automatically pay interest on overdue payments; extends coverage of the Act to subcontracts under Federal construction contracts, Commodity Credit Corporation operations, and contract payments for dairy products, edible fats and oils, and food products prepared from edible fats and oils; and establishes a Presidential Advisory Panel for Coordination of Government Debt Collection and Delinquency Prevention activities.

Bill passed. Yeas 86 (46D–40R), Nays 0, Not Voting 14 (8D–6R). October 9, 1987. -------

SENATE PROCEDURE

VOTE NO. 319

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 67 (43D–24R), Nays 12 (1D–11R), Not Voting 21 (10D–11R). October 13, 1987. -------

NOMINATION OF C. WILLIAM VERITY, JR. TO BE SECRETARY OF COMMERCE

VOTE NO. 320

Byrd, et al., motion to close debate on the nomination of C. William Verity, Jr., of Ohio, to be Secretary of Commerce.

Cloture motion agreed to. Yeas 85 (49D–36R), Nays 8 (8R), Not Voting 7 (5D–2R). October 13, 1987. -------

VOTE NO. 321

Confirmation of the nomination of C. William Verity, Jr., of Ohio, to be Secretary of Commerce.

Nomination confirmed. Yeas 84 (47D–37R), Nays 11 (4D–7R), Not Voting 5 (3D–2R). October 13, 1987. -------

SENATE PROCEDURE

VOTE NO. 322

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 55 (47D–8R), Nays 34 (1D–33R), Not Voting 11 (6D–5R). October 14, 1987. -------

LABOR-HHS-EDUCATION APPROPRIATIONS, 1988 (H.R. 3058)

VOTE NO. 323

Helms modified amendment to prohibit the use of any funds provided under this Act to the Centers for Disease Control from being used to provide AIDS education, information, or prevention materials and activities that promote or encourage, directly or indirectly, homosexual sexual activities or the intravenous use of illegal drugs.

Amendment agreed to. Yeas 94 (51D–43R), Nays 2 (1D–1R), Not Voting 4 (2D–2R). **October 14, 1987.** -------

VOTE NO. 324

Weicker motion to waive section 302(f) of the Budget Act (which prohibits consideration of legislation providing budget authority or outlays in excess of the Committee's section 302(b) report) to allow consideration of the Weicker amendment which

increases by $585 million funding for the Low Income Home Energy Assistance Program.

Motion rejected. Yeas 47 (29D-18R), Nays 50 (23D-27R), Not Voting 3 (2D-1R). October 14, 1987. -------

VOTE NO. 325

Chiles motion to table the Rudman-Kasten amendment which increases by $432.3 million funding for the Low Income Home Energy Assistance Program and offsets the increase by an across-the-board reduction of 1.94 percent in all other spending in the bill.

Motion to table agreed to. Yeas 68 (45D-23R), Nays 28 (7D-21R), Not Voting 4 (2D-2R). October 14, 1987. -------

VOTE NO. 326

Passage of the bill which appropriates $129,404,328,930 in new budget authority for the Departments of Labor, Health and Human Services, and Education and Related Agencies for FY 1988.

Department of Labor—$5,437,112,000: Includes $6.4 billion for the Employment and Training Administration; $1.1 billion for the Employment Standards Administration; $169.8 million for the Mine Safety and Health Administration; $247.9 million for the Occupational Safety and Health Administration; and $183.8 million for the Bureau of Labor Statistics.

Extends the moratorium on Job Corps center closings through January 1, 1989, and on the contracting of civilian conservation centers through program year 1988.

Department of HHS—$15,999,768,000: Includes $946.4 million for research, prevention, information, and education activities for Acquired Immune Deficiency Syndrome (AIDS)-related programs, including funding for the AIDS-related activities of HHS agencies; contains $1.6 billion for the Health Resources and Services Administration; $803 million for CDC; $1.5 billion for ADAMHA; $6.9 billion for NIH; $509 million for the Alcohol, Drug Abuse, and Mental Health Block Grant Program; $11.1 billion for child support enforcement and AFDC payments which includes $2.5 billion in advance payments; $1.2 billion for low-income home energy assistance; $407 million for Community Services Block Grants; $96.7 million for the Work Incentives Program; $2.7 billion for Social Services Block Grants; $2.6 billion for Human Development Services; $767.7 million for Administration on Aging programs; and $811.2 million for family social services.

Provides for the major entitlement programs: $9.5 billion for the Supplemental Security Income (SSI) program; $25.4 billion for payments to the health care trust funds (Medicare); $30 billion for grants to States for Medicaid; $105.3 million for payments to the Social Security Trust Funds; and $663.5 million for special benefits for disabled coal miners.

Requires NIH to expedite the process by which experimental drugs for the treatment of AIDS that have shown some effectiveness are available for use in clinical trials and to enroll as many individuals with AIDS and AIDS-related complex in those trials as is scientifically feasible; precludes multiyear or forward funding of FY 1988 NIH grants, except as specifically required because of program or agency needs.

Department of Education—$16,711,943,930: Includes $4.5 billion for Compensatory Education for the Disadvantaged; $701 million for impact aid; $1.1 billion for special programs; $200.3 million for bilingual education; $2 billion for education for the handicapped; $1.6 billion for rehabilitation services and handicapped research; $1.1 billion for vocational and adult education, $5.8 billion for student financial assistance; $2.9 billion for Guaranteed Student Loans; $512.4 million for higher education programs; and $136.6 million for library programs.

Related Agencies—$7,035,912,000: Includes $173.5 million for ACTION; $248 million in advance FY 1990 appropriations for the Corporation for Public Broadcasting; $139 million for the National Labor Relations Board; and $368 million for the Railroad Retirement Board's beneficiary payments.

General Provisions: Requires a uniform percentage reduction of all travel expense accounts to achieve a total outlay reduction of $22.6 million; directs the Secretary of HHS to report to Congress on violations of HHS travel policy and require reimbursement by persons found to be in violation.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$115,962,635,000

Voted

1988 Budget Estimate	200,512,635,000
Approved by House	126,777,088,000
Approved by Senate	129,404,328,930
Enacted	127,074,798,000

NOTE: Compromise provisions are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 81 (49D–32R), Nays 15 (3D–12R), Not Voting 4 (2D–2R). October 14, 1987. -------

In Public Law 100–202.

ARIAS NOBEL PEACE PRIZE (S. Con. Res. 83)

VOTE NO. 327

Adoption of the resolution which states the sense of the Congress that the U.S. congratulates Oscar Arias Sanchez, President of Costa Rica, as the recipient of the Nobel Peace Prize and commends the Nobel Prize Committee on its outstanding choice; recognizes the signing of the August 7 Guatemala Peace Accord as an historic achievement; urges the parties to the peace accord to implement all of its provisions in good faith; and pledges congressional support and full cooperation with respect to the good faith implementation of the August 7, 1987, Central America peace agreement.

Resolution agreed to. Yeas 92 (51D–41R), Nays 3 (3R), Not Voting 5 (3D–2R). October 15, 1987. -------

HUD APPROPRIATIONS, 1988 (H.R. 2783)

VOTE NO. 328

Cranston, et al., amendment to increase by $45.2 million funding in the VA medical care account which includes $20 million for AIDS treatment, $21.2 million for health care personnel recruitment and retention bonuses and tuition assistance, and $4 million for start-up costs for six satellite outpatient clinics..

NOTE: No offset is necessary, because the increase would use the remaining outstanding balance of the subcommittee's allocation.

Amendment agreed to. Yeas 93 (50D–43R), Nays 2 (1D–1R), Not Voting 5 (3D–2R). October 15, 1987. -------

VOTE NO. 329

Johnston motion to table the DeConcini amendment which adds $75 million for VA medical care field personnel pay increases, offset by reducing NASA's manned space station research and development program by $118.36 million.

NOTE: The larger offset is necessary because of different outlay spendout rates.

Motion to table agreed to. Yeas 84 (42D–42R), Nays 12 (11D–1R), Not Voting 4 (1D–3R). October 15, 1987. -------

VOTE NO. 330

Garn motion to table the Humphrey amendment which reduces funding for Urban Development Action Grants (UDAG's) by $100 million and cuts veterans medical care by $10 billion.

NOTE: The sponsor intended to add $100 million for veterans which would have been subject to a point of order that it violated the Budget Act. See Vote No. 331 on a second Humphrey amendment.

Motion to table agreed to. Yeas 92 (52D–40R), Nays 5 (1D–4R), Not Voting 3 (1D–2R). October 15, 1987. -------

VOTE NO. 331

Garn motion to table the Humphrey-Hecht amendment which adds $5.9 million for veterans medical care, offset by a $10 million reduction in funds for Urban Development Action Grants (UDAG's).

NOTE: The larger offset is necessary because of different outlay spendout rates.

Motion to table agreed to. Yeas 67 (46D–21R), Nays 31 (7D–24R), Not Voting 2 (1D–1R). October 15, 1987. -------

HUD APPROPRIATIONS, 1988 (H.R. 2783)

VOTE NO. 332

Passage of the bill which appropriates $57,216,459,000 in new budget authority for the Department of Housing and Urban Development, Veterans' Administration, National Aeronautics and Space Administration, Environmental Protection Agency, National Science Foundation, and other agencies, commissions, boards, corporations, institutes, and offices in FY 1988.

HUD—$13,089,649,000: Includes $9.5 billion for housing programs; rescinds $2.0 million in contract authority and $52.0 million in budget authority for the Rental Housing Assistance Program; places a $602.8 million limitation on loans for housing for the elderly or handicapped; sets aside 25 percent of the total section 202 direct loan limitation for projects to assist handicapped persons; continues limiting access to section 202 funds to qualified nonprofit sponsors, providing long-term permanent financing at a rate not to exceed 9.25 percent and requiring that section 202 loan authority be included as part of the Federal budget; contains $3.5 million for housing counseling assistance, $1.5 billion for operation of low-income housing projects, and $7 million for the congregate services program; places a $150 billion limitation on GNMA loan guarantee commitments; contains $225.0 million for UDAG, $1.5 billion for public housing operating subsidies, and $3.0 billion for Community Development Block Grants.

Related Agencies—$44,126,810,000: Includes $12.9 million for the American Battle Monuments Commission; $33.9 million for the Consumer Product Safety Commission; $5.3 billion for EPA; $653.4 million for FEMA; $9.1 billion for NASA; $1.9 billion for the NSF; and $27.1 billion for the VA.

Reinstates EPA's authority to collect up to $5 million per year in fees for quality assurances services and materials.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$56,637,951,700
1988 Budget Estimate	51,596,329,313
Approved by House	57,938,256,000
Approved by Senate	57,216,459,000
Enacted	56,616,649,000

NOTE: Compromise provisions are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 86 (51D–35R), Nays 12 (2D–10R), Not Voting 2 (1D–1R). October 15, 1987. -------

In Public Law 100-202.

COMMERCE-JUSTICE-STATE APPROPRIATIONS, 1988 (H.R. 2763)

VOTE NO. 333

Passage of the bill which appropriates $14,194,813,933 in new budget authority for the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies in FY 1988.

Department of Commerce—$2,536,233,933: Includes $214.3 million for the Economic Development Administration (EDA), $1.2 billion for the National Oceanic and Atmospheric Administration, and $161.95 million for the International Trade Administration; authorizes an EDA loan guarantee program of up to $150 million.

Department of Justice—$5,303,943,000: Includes $1.4 billion for the FBI, $517.8 million for the Drug Enforcement Administration, $1.2 billion for legal activities, $815.3 million for the Immigration and Naturalization Service (INS), and $238.8 million for Justice Assistance programs; requires INS to use sealed bid or competitive proposal procedures to secure a nationwide telephone verification system; delays, until October 1, 1988, implementation of a new rule on temporary visas; prohibits use of funds to require any person to perform, or facilitate in any way the performance of, any abortion.

Department of State—$2,457,726,000: Includes $2.03 billion for administration of foreign affairs and $370.6 million for international organizations and conferences; establishes a commission to determine the proper U.S. contribution to international agencies; includes $17.8 million for the National Endowment for Democracy of which $250,000 is for the free press, free radio, and peaceful civic opposition in Nicaragua.

Prohibits further obligation of funds for construction of the new U.S. embassy in Moscow, except as necessary to demolish the upper eight floors; prohibits the Soviets from occupying their new chancery in Washington, D.C., until a new office building is available to the U.S. in Moscow and the Soviets have reimbursed the U.S. for damages resulting from the present building in Moscow; and contains other provisions relating to the U.S. embassy in Russia.

The Judiciary—$1,405,108,000 for the Courts of Appeals, District Courts, Administrative Office, and judicial services.

Related Agencies—$2,525,703,000: Includes $80.2 million for the Maritime Administration, $467.4 million for SBA; $104.9 million for the FCC, $310.0 million for the Legal Services Corporation (LSC) with each line item earmarked, $215.0 million for the Board for International Broadcasting, and $819.8 million for the U.S. Information Agency (USIA); contains a new appropriation of $200,000 for a Commission on the Preservation of America's Heritage Abroad.

Prohibits the FCC from repealing, retroactively restricting, or continuing pending re-examination of longstanding rules to promote the ownership of broadcasting licenses by minority group members and women; prohibits diminution in the number of VHF channel assignments for noncommercial television stations.

Restates LSC language provisions contained in the FY 1987 Act with minor modifications.

Requires USIA and the Voice of America to purchase American-manufactured materials and equipment in carrying out the facilities modernization program.

Prohibits the sale to third parties of disaster assistance direct loans and SBA-guaranteed debentures issued by certified development companies and small business investment companies which were held by the Federal Financing Bank on September 30, 1987; prohibits SBA from implementing any new or additional user fees, guaranty fees, or examination fees beyond those which were in effect on September 1, 1987.

Prohibits the Equal Employment Opportunity Commission from enforcing its regulation permitting employees to waive their rights under the Age Discrimination in Employment Act during FY 1988.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$13,459,625,007
1988 Budget Estimate	14,815,903,000
Approved by House	13,896,501,000
Approved by Senate	14,228,813,933
Enacted	13,891,705,933

NOTE: Compromise provisions are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 82 (49D–33R), Nays 9 (2D–7R), Not Voting 9 (3D–6R). October 15, 1987.

In Public Law 100-202.

SENATE PROCEDURE—ATTENDANCE

VOTE NO. 334

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 63 (51D–12R), Nays 29 (29R), Not Voting 8 (3D–5R). October 16, 1987.

INDEPENDENT COUNSEL REAUTHORIZATION (S. 1293)

VOTE NO. 335

Byrd motion to proceed to the consideration of the bill which provides a permanent reauthorization for the independent counsel process under Title VI of the Ethics in Government Act of 1979 and modifies the provision governing that process.

Motion to proceed agreed to. Yeas 65 (52D–13R), Nays 28 (28R), Not Voting 7 (2D–5R). October 16, 1987.

VETERANS' TRAVEL PAYMENTS (H.R. 2327)

VOTE NO. 336

Murkowski, et al., amendment (as a substitute for Title III of the bill) which extends for one year, until September 30, 1990, the date by which "storefront" readjustment centers for Vietnam veterans must be relocated to the VA medical centers and

VETERANS' TRAVEL PAYMENTS—Continued

requires that recipients of such services submit their social security numbers to the Veterans' Administration.

Amendment rejected. Yeas 33 (2D–31R), Nays 57 (50D–7R), Not Voting 10 (2D–8R). October 16, 1987.

VOTE NO. 337

Passage of the bill which restores beneficiary travel payments to certain individuals in connection with travel to and from VA facilities; establishes the Office of Medical Inspector General and the position of Assistant Inspector General for Health Care Quality Assurance Review within that office with responsibility for investigating reports of inadequate quality of care; establishes the position of Assistant Chief Medical Director for Quality Assurance within the Office of the Chief Medical Director; eliminates the requirement for a transition under which community-based Vet Centers would be moved to VA medical facilities; and provides standards and procedures for any closure or relocation of Vet Centers.

Bill passed. Yeas 89 (51D–38R), Nays 1 (1D), Not Voting 10 (2D–8R). October 16, 1987.

WAR POWERS (SJ Res. 194)

VOTE NO. 338

Weicker motion to table the resolution which declares that the report described in section 4(a)(1) of the War Powers Resolution (requiring the submission of a report to Congress within 48 hours of the introduction of U.S. Armed Forces into "situations where imminent involvement in hostilities is clearly indicated by the circumstances") must be submitted to Congress not later than 48 hours after the attack on October 8, 1987, when an Iranian vessel fired on a patrolling U.S. military helicopter necessitating an American response attack in the Persian Gulf.

Motion to table failed. Yeas 3 (3D), Nays 87 (49D–38R), Not Voting 10 (2D–8R). October 16, 1987.

VOTE NO. 339

Byrd, et al., motion to close further debate on the Warner-Byrd amendment (as a substitute for the resolution) which states that the circumstances in the Persian Gulf region, including the incidents involving U.S. military forces on September 21, October 8, and October 19, 1987, justify an Administration report and a comprehensive congressional review of the use of U.S. military forces in that region; requires the President to report to Congress within 60 days of enactment a review of the range of U.S. commitments and military involvements in the Persian Gulf region including the duration of the reflagging and escort operation, and its objectives, costs, and impact; and provides for the expedited consideration, within 90 days of enactment, of a resolution dealing with the U.S.' policy and commitments in the Persian Gulf which may be introduced within three session days after Congress receives the President's report.

Cloture motion agreed to. Yeas 67 (50D–17R), Nays 28 (1D–27R), Not Voting 5 (3D–2R). October 20, 1987.

VOTE NO. 340

Helms perfecting amendment (to the Helms amendment—Vote No. 341) which states that "nothing in the Resolution should be interpreted or construed in any manner which is inconsistent with the proposition that the U.S., as a maritime power, has preeminent interest in the freedom of the seas and in taking such actions as are necessary to maintain such freedom."

Amendment agreed to. Yeas 93 (49D–44R), Nays 2 (1D–1R), Not Voting 5 (4D–1R). October 20, 1987.

VOTE NO. 341

Helms amendment, as amended (Vote No. 340), which states that nothing in this resolution shall prohibit the U.S. Navy "from sinking any Iranian vessel, destroying any Iranian missile battery, or neutralizing any Iranian installation which threatens the safe passage of any American warship or of any other vessel known to have on board any U.S. citizen," and states that "nothing in the Resolution should be interpreted or construed in any manner which is inconsistent with the proposition that the U.S., as a maritime power, has a preeminent interest in the freedom of the seas and in taking such actions as are necessary to maintain such freedom."

Amendment agreed to. Yeas 82 (45D–37R), Nays 10 (5D–5R), Not Voting 8 (4D–4R). October 20, 1987.

VOTE NO. 342

Boren-Byrd-Dole, et al., modified amendment (to the Warner-Byrd amendment) which states the sense of the Senate that the Senate approves and supports the President's actions of October 19, making an appropriate and carefully considered response to the Iranian attack on a U.S. flagged ship in Kuwaiti waters on October 16, 1987, and strongly endorses these actions as a firm indication of the U.S.' resolve that the Iranian government cannot take military action against the U.S. with impunity.

Amendment agreed to. Yeas 92 (49D–43R), Nays 1 (1R), Not Voting 7 (5D–2R). October 20, 1987.

VOTE NO. 343

Dole-Byrd-D'Amato amendment (to the Byrd-Warner modified amendment—Vote Nos. 345-347) which states that "nothing in this resolution should be construed as limiting the President's Constitutional powers as Commander-in-Chief to utilize American military forces in self-defense operations, or as urging the withdrawal of American military forces from the Persian Gulf."

Amendment agreed to. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). October 21, 1987.

VOTE NO. 344

Weicker modified amendment (to the Byrd-Warner modified amendment—Vote Nos. 345-347) which requires the Presidential report to Congress on the situation in the Persian Gulf to be submitted within 30 days (rather than 60 days) after enactment of the resolution.

Amendment agreed to. Yeas 59 (47D–12R), Nays 38 (5D–33R), Not Voting 3 (2D–1R). October 21, 1987.

VOTE NO. 345

Byrd-Warner modified second degree amendment and Warner-Byrd first degree modified amendment, en bloc, which states that the circumstances in the Persian Gulf region, including the incidents involving U.S. military forces on September 21, October 8, and October 19, 1987, justify an Administration report and a comprehensive congressional review of the use of U.S. military forces in that region; requires the President to report to Congress within 30 days of enactment a review of the range of U.S. commitments and military involvements in the Persian Gulf region, including the duration of the reflagging and escort operation and its objectives, costs, and impact; provides for the expedited consideration, within 90 days of enactment, of a resolution dealing with the U.S.' policy and commitments in the Persian Gulf which may be introduced within three session days after Congress receives the President's report; and states that nothing in this amendment shall be construed as complying with, modifying, or negating any provision of the War Powers Resolution.

NOTE: See also Vote No. 347 in which the Senate agreed to the amendments upon reconsideration.

Amendments rejected, en bloc. Yeas 47 (35D–12R), Nays 51 (17D–34R) Not Voting 2 (2D). October 21, 1987.

VOTE NO. 346

Byrd motion to reconsider Vote No. 345 by which the Senate rejected the Warner-Byrd first degree modified amendment and the Byrd-Warner modified second degree amendment.

Motion to reconsider agreed to. Yeas 58 (45D–13R), Nays 40 (7D–33R), Not Voting 2 (2D). October 21, 1987.

VOTE NO. 347

Reconsideration of Vote No. 345.

NOTE: Subsequently, the resolution was passed by voice vote.

Amendments agreed to, en bloc. Yeas 54 (41D–13R), Nays 44 (11D–33R), Not Voting 2 (2D). October 21, 1987.

Voted

NOMINATION OF ROBERT H. BORK TO BE AN ASSOCIATE JUSTICE OF THE U.S. SUPREME COURT

VOTE NO. 348

Confirmation (rejected) of the nomination of Robert H. Bork, of the District of Columbia, to be an Associate Justice of the U.S. Supreme Court.

Nomination rejected. Yeas 42 (2D–40R), Nays 58 (52D–6R). October 23, 1987. -------

MILITARY CONSTRUCTION APPROPRIATIONS, 1988 (H.R. 2906)

VOTE NO. 349

Passage of the bill which appropriates $8,280,698,000 in budget authority for DOD military construction programs in FY 1988; contains $36.5 billion for construction activities and $15.5 billion for family housing operations, $378 million for the NATO infrastructure program, $51.4 million for construction of facilities at Vilseck, West Germany, $4.5 million for wartime host nations support, and $36.2 million for construction of regional facilities in Diego Garcia and Oman; funds only those projects in the Philippines that are of an urgent, operational, or safety nature; prohibits the use of funds to initiate design on the proposed Pentagon II complex; permits the Secretary to authorize up to $100 million for construction to support a mobilization and requires the Secretary to report to the Appropriations Committees within 24 hours of invoking this authority and to include a copy of the President's determination, the amount and source of funds to be utilized, and the location and purpose of the construction; directs DOD to resubmit the FY 1989 military construction budget and to insure that future budget submissions do not contain lump sum requests for new construction; and prohibits the use of funds for projects in the United States that use engineering, architectural, and construction services from foreign countries which do not provide the U.S. access to its markets for such services.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$8,155,774,000
1988 Budget Estimate	9,851,957,000
Approved by House	8,079,000,000
Approved by Senate	8,280,698,000
Enacted	8,500,000,000

NOTE: Compromise provisions are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 93 (49D–44R), Nays 0, Not Voting 7 (5D–2R). October 27, 1987. -------

In Public Law 100-202.

MEDICARE CATASTROPHIC ILLNESS COVERAGE (H.R. 2470)

VOTE NO. 350

Heinz–Mitchell, et al., modified amendment which phases in, from January 1990 to January 1993, medicare prescription drug coverage; establishes a $600 deductible for prescription drugs in 1990, after which it will be increased to reflect increases in the average beneficiary's total spending for drugs; provides for medicare payments of 80 percent of drug costs above the deductible; provides for coverage of 50 percent of medicare prescription drug program costs by medicare part B premium increases with the remainder to be paid for from a supplemental premium payment based on income tax liability; and caps premium costs through 1993, which shall be indexed thereafter to reflect the average beneficiary's spending on drugs.

Amendment agreed to. Yeas 88 (50D–38R), Nays 9 (1D–8R), Not Voting 3 (3D). October 27, 1987. -------

VOTE NO. 351

Wallop–Helms amendment which permits voluntary participation in the catastrophic program, rather than including catastrophic care as a medicare part B benefit (thereby necessitating a substantial premium increase to keep the program self-sustaining).

Amendment rejected. Yeas 18 (18R), Nays 77 (49D–28R), Not Voting 5 (5D). October 27, 1987. -------

Voted

VOTE NO. 352

Bentsen motion to table the Helms amendment stating the sense of the Senate that, notwithstanding perceived economic problems associated with trade imbalances and budget deficits, Federal tax rates should not be increased in any manner, direct or indirect, and no Federal taxes should be created, and providing that any budget discussions between the President and Congress should not entertain any propositions which increase individual or corporate tax rates or add any new tax.

Motion to table agreed to. Yeas 65 (48D–17R), Nays 32 (3D–29R), Not Voting 3 (3D). October 27, 1987.

VOTE NO. 353

Passage of the bill which protects medicare beneficiaries from catastrophic expenses associated with covered medicare services.

Part A Benefits: Eliminates all hospital coinsurance and the limit on the number of hospital days; limits beneficiary liability to one hospital deductible annually and maintains the indexation of the deductible; increases medicare coverage of skilled nursing facility (SNF) days to 150 days per calendar year; requires beneficiaries to pay coinsurance equal to 15 percent of the national average medicare SNF cost per day for the first 10 days of covered services each year; eliminates the three-day prior hospitalization requirement for SNF care, effective January 1, 1988; increases to 45 days, the period during which beneficiaries may receive daily home health care if they have been in a hospital or a SNF within 30 days of the beginning of the home health care; eliminates the 210-day limit on hospice coverage for all beneficiaries and the "spell of illness" benefit period and repeals the inpatient psychiatric carryover restrictions for part B enrollees.

Part B Benefits: Counts the beneficiary costs for immunosuppressive drugs, mammography, and colorectal examinations toward the catastrophic expense cap; permits selected screenings for health problems to be counted toward the medicare cap if a catastrophic illness should occur within 12 months.

Prescription Drugs: Phases in, from January 1990 to January 1993, medicare prescription drug coverage; establishes a $600 deductible for prescription drugs in 1990, after which it will be increased to reflect increases in the average beneficiary's total spending for drugs; provides for medicare payments of 80 percent of drug costs above the deductible; provides for coverage of 50 percent of medicare prescription drug program costs by medicare part B premium increases with the remainder to be paid for from a supplemental premium payment based on income tax liability; caps premium costs through 1993, which shall be indexed thereafter to reflect the average beneficiary's spending on drugs.

Financing: Finances the catastrophic benefits through a combination of a $4 per month basic premium and an income-related supplemental premium to be collected by IRS; indexes the premiums to increases in the per capita costs of the catastrophic benefits; after 1988, holds harmless the basic monthly premium increase so that it will not exceed a beneficiary's social security COLA.

Spousal Protection: Protects the assets of an individual's spouse who must have long-term nuring home care before medicare will assist by providing for the equal division of community property between the two spouses at the time of institutionalization.

MediGap: Makes effective one year after adoption, any revisions to the medigap policy standards adopted by the National Association of Insurance Commissioners within 90 days of enactment; requires the Secretary to issue revised standards, to become effective in one year, for States that do not amend their standards within the 90 day period.

Medicaid: Requires the Secretary to estimate the amount of savings which each State medicaid program will accrue from expanded Medicare coverage and requires States to use accrued savings to expand coverage of medicare beneficiaries with low incomes or to support spousal impoverishment initiatives.

Long-Term Care and Drug Studies: Requires the Secretary to request an Institute of Medicine study of options for long-term health care and various funding approaches, and appropriate medicare coverage of prescription drugs or the possibility of counting drug costs toward the catastrophic expense; and requires the Treasury Secretary to study tax incentives for long-term care insurance.

Case Management Demonstration Projects: Authorizes $2 million for six one-year case management demonstration projects for medicare beneficiaries with catastrophic illnesses to deter-

MEDICARE CATASTROPHIC ILLNESS COVERAGE—Continued

mine how catastrophic illness cases should be managed under the medicare program.

Health Maintenance Organizations (HMO's): Makes technical modifications to conform medicare HMO rules to the new benefit package; states that an HMO can go out of business at any time leaving enrollees without coverage; imposes monetary penalties and actions on an HMO which fails to provide medically necessary items and services that adversely affect the individual enrollee, charges a greater premium than permitted, expels or refuses to rehire an enrollee for medical reason, or engages in any practice that denies or encourages an individual whose medical history or condition indicates a need for future medical services.

Repeal of Authority to Administer Proficiency Exams: Repeals the Secretary's authority to administer proficiency exams to qualify certain technicians and technologists for purposes of medicare reimbursement, effective October 1, 1987.

Adult Day Care: Directs the Secretary to report on adult day care services provided in the U.S.

Commission on Comprehensive Health Care: Establishes a Bipartisan Commission on Comprehensive Health Care to develop legislative recommendations for long-term health care.

Senate Conferrees: Expresses the sense of the Senate that Senate conferees take all necessary steps to ensure that this bill has strong cost controls and that the premiums beneficiaries pay are fair and as low as possible.

Bill passed. Yeas 86 (50D-36R), Nays 11 (1D-10R), Not Voting 3 (3D). October 27, 1987. -------

AIRPORT CAPACITY EXPANSION BUDGET WAIVER (S. Res. 242)

VOTE NO. 354

Passage of the resolution to waive section 303(a) of the Budget Act (which creates a point of order against legislation providing new budget authority for a fiscal year for which the budget resolution has not been adopted) to allow consideration of the Airport and Airway Capacity Expansion bill.

Resolution agreed to. Yeas 92 (49D-43R), Nays 5 (2D-3R), Not Voting 3 (3D). October 28, 1987. -------

AIRPORT CAPACITY EXPANSION (H.R. 2310)

VOTE NO. 355

Pressler motion to table the Kassebaum amendment (as a substitute for the Exon-Baucus, et al., amendment) which reauthorizes the Essential Air Service Program through September 30, 1990, and requires the Secretary of Transportation to report to Congress by September 30, 1989, on the desirability and feasibility of extending the program and recommendations on possible program modifications.

Motion to table agreed to. Yeas 57 (46D-11R), Nays 37 (4D-33R), Not Voting 6 (4D-2R). October 28, 1987. -------

AIRPORT CAPACITY EXPANSION (H.R. 2310)

VOTE NO. 356

Passage of the bill which authorizes, from the Airport and Airway Trust Fund, $1.6 billion in FY 1988, $1.7 billion in 1989, and $1.8 billion in 1990 for the Airport Improvement Program (AIP); $1.5 billion in each FY 1988 and 1989 and $1.75 billion in 1990 for facilities and equipment; $200 million in each FY 1988 and 1989 and $225 million in 1990 for research and development; and $1.6 billion in FY 1988, $1.7 billion in 1989, and $1.8 billion in 1990 for operations and maintenance.

Revises the apportionment formulas under the AIP; allows primary and reliever airports to begin construction of a project in advance of funding, with eligible costs to be reimbursed by the Secretary, subject to certain specified conditions; reduces eligibility criteria for primary airports from 0.01 percent of all system-wide passenger enplanements to 10,000 passengers enplaned annually; increases the minimum annual amount any primary airport can receive to $300,000 and the maximum the largest airports can receive to $16 million; removes current limitations on the use of AIP enplanement funds for public-use,

nonrevenue-producing portions of terminal development; generally denies AIP funds to any airport project using foreign materials or services if the foreign country does not allow fair and equitable market opportunities for U.S. bidders.

Makes permanent the low activity Level I air traffic control tower contract program administered by the FAA.

Requires the FAA to hire an additional 1,000 air traffic controllers by September 30, 1988.

Directs the FAA to require all aircraft, flying near airports which have FAA radar to separate aircraft, to be equipped with altitude reporting transponders.

Extends the Essential Air Service (EAS) Program for ten years, through 1998, and requires that EAS aircraft have at least 15 seats, two pilots, two engines, and pressurized cabins above 8,000 feet.

Extends the Airport and Airway Trust Fund taxes through 1991.

Requires the Administrator of FAA to study noise abatement proposals under consideration by airport operators and local governments and recommend additional noise abatement programs eligible for Federal assistance.

Authorizes individuals to provide FAA with access to data in the National Driver Register in reviewing medical certification applications and allows FAA to use this information to verify the information provided by the pilots and to help evaluate whether the airmen meet FAA's minimum medical standards.

Requires the Secretary to issue a proposed rulemaking, within 30 days of enactment, requiring the installation and use of cockpit voice recorders and flight data recorders on all aircraft.

Increases to $10,000 the maximum civil penalty for safety violations by commercial air carriers, including commuter lines and charter operations; establishes a two-year demonstration program for DOT to use administrative hearings to hear civil penalty cases of less than $100,000; imposes a maximum civil penalty of $1,000 for failure to notify the FAA of proposed construction of structures which could be a hazard to air navigation; and makes unauthorized access to airport secure areas a Federal criminal offense.

Prohibits FAA from discriminating against operators of passenger aircraft having fewer than 61 seats in establishing criteria for airport control towers and navigational aids.

Requires the Secretary to issue regulations requiring adequate uniform life preservors for passengers including small children and infants, and requires the Secretary, within 120 days of enactment, to begin a rulemaking to establish regulations requiring all seats on all air carrier aircraft to meet improved crashworthiness standards based upon the best available testing standards.

NOTE: The Senate agreed to the conference report on December 17, 1987, by voice vote.

Bill passed. Yeas 96 (51D-45R), Nays 1 (1D), Not Voting 3 (2D-1R). October 28, 1987.

Became Public Law 100-223.

DOT APPROPRIATIONS, 1988 (H.R. 2890)

VOTE NO. 357

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 80 (51D-29R), Nays 16 (1D-15R), Not Voting 4 (2D-2R). October 29, 1987.

VOTE NO. 358

Passage of the bill which appropriates $11,104,718,569 in new budget authority for the Department of Transportation and related agencies in FY 1988.

Contains $2.7 billion for the Coast Guard; $6.0 billion for the Federal Aviation Administration which includes a $1.3 billion obligation limitation on the use of contract authority for the Airport Grants program; $54.3 million for the Federal Highway Administration, with a $212.2 million limitation on general operating expenses, a $12.2 billion limitation on obligations from the Highway Trust Fund, and a $13.4 billion limitation on Trust Fund liquidation of contract authority; $89.9 billion for the National Highway Traffic Safety Administration; $683.7 million for the Federal Railroad Administration; $2.1 billion for the Urban Mass Transportation Administration (UMTA); $46.0 million for the Interstate Commerce Commission; and $459.2 million for the Panama Canal Commission.

DOT APPROPRIATIONS, 1988—Continued

Requires UMTA to publish grant announcements in the *Federal Register* within seven calendar days of obligation.

Establishes, effective four months after enactment, a three-year prohibition on smoking on scheduled domestic flights of two hours or less; imposes a civil penalty of up to $1,000 for each violation.

Allows a 65-miles-per-hour speed limit modification on highways that meet interstate standards that are not currently classified as interstates.

Denies funds for transportation projects in the U.S. that use the engineering, architectural, and construction services of any foreign country that does not offer U.S. firms the same reciprocity with respect to bidding on projects in that country.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$10,525,275,908
1988 Budget Estimate	8,498,492,569
Approved by House	10,921,461,408
Approved by Senate	11,104,718,569
Enacted	10,593,055,000

NOTE: Compromise provisions are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 84 (49D-35R), Nays 10 (3D-7R), Not Voting 6 (2D-4R). October 29, 1987. -------

In Public Law 100-202.

AIR PASSENGER PROTECTION (H.R. 3051)

VOTE NO. 359

Inouye motion to table the Danforth-Hollings, et al., amendment which requires, within 12 months of enactment, a program for air carriers to conduct mandatory pre-employment, periodically recurring, random, reasonable suspicion and post-accident testing of airmen, crew members, airport security screening personnel, and other safety-sensitive air employees for alcohol or any controlled substance; forbids any of these individuals from using, without lawful authority, alcohol or controlled substances on or off the job; provides that employees who test positive shall not be permitted to retain their current position and shall be given one chance for rehabilitation; gives the Secretary of Transportation discretionary authority to disqualify or rehabilitate individuals who test positive in other instances; requires similar programs for all railroad employees responsible for safety-sensitive functions and for commercial motor vehicle operators; and directs the Secretary, within 15 months of enactment, to implement a pilot test program in four States that volunteer to participate for the purpose of randomly testing commercial motor vehicle operators.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 7 (7D), Nays 83 (43D-40R), Not Voting 10 (4D-6R). October 29, 1987. -------

VOTE NO. 360

Adams amendment (as a substitute for the Adams amendment) which contains the provisions of the Airline Merger Transfer Act of 1987 (S. 724) which provides for the early sunset of the existing authority of the Secretary of Transportation over airline mergers, acquisitions, consolidations, and interlocking directorates, including the authority to exempt such transactions from the antitrust laws; provides that proceedings begun at DOT prior to April 1, 1987, or pursuant to final orders adopted by the Secretary prior to the effective date of termination, will be administered by DOT (thus the standard for determination of the USAir-Piedmont merger application pending before DOT would not be affected); makes airline mergers and acquisitions subject to the same substantive standards as those in unregulated industries; requires the Secretary of Labor to determine whether a merger would tend to reduce employment or adversely affect the wages and working conditions, including seniority and, upon making a positive determination, to impose labor protection provisions designed to mitigate adverse consequences, including binding arbitration; and provides that no labor protection provisions would be imposed if proponents of the transactions satisfy

Voted

the burden of proof that their cost would exceed financial benefits.

Amendment agreed to. Yeas 64 (50D–14R), Nays 28 (1D–27R), Not Voting 8 (3D–5R). October 30, 1987.

VOTE NO. 361

Passage of the bill which provides for the early sunset (from June 1, 1989, to the date of enactment of this act) of the existing authority of the Secretary of Transportation over airline mergers, acquisitions, consolidations, and interlocking directorates, including the authority to exempt such transactions from the antitrust laws; provides that proceedings begun at DOT prior to April 1, 1987, or pursuant to final orders adopted by the Secretary prior to the effective date of termination, will be administered and, as necessary, adjudicated by DOT.

Labor Protection: Requires the Secretary of Labor to determine whether a merger or similar transaction would reduce employment or adversely affect wages and working conditions of air carrier employees and, upon making a positive determination, to impose labor protection provisions to mitigate adverse consequences, including procedures resulting in binding arbitration.

Airline Fare Recordkeeping: Requires the Secretary of Transportation to compile, on a quarterly basis and retain for five years, the fares and frequency of service offered to or from any of the 50 busiest airports, in terms of annual passenger enplanements, at which one air carrier offers more than 50 percent of the service.

Domestic Air Service Reports: Requires the Secretary to issue, within 90 days of enactment, regulations requiring each air carrier to submit monthly reports on matters relating to domestic air service, including information concerning flight delays and the number of passengers involuntarily denied boarding; requires the Secretary to prohibit, except in certain specified circumstances, cancellation of flights for economic reasons unless airlines attempt to notify passengers at least 24 hours in advance of the cancellation and provide passengers similar service within a reasonable time.

Computer Reservation Systems: Requires airlines to submit to DOT the average of the actual arrival times for each scheduled flight operating between U.S. airports, based on the actual arrival times for that flight during the previous month; requires the Secretary to prohibit any computer reservation system from penalizing a flight with a scheduled departure within 30 minutes of the requested departure time.

Minimum Elapsed Flight Times: Requires the FAA Administrator, within 90 days of enactment, to establish minimum elapsed flight times for each domestic flight and prohibits air carriers from publishing a schedule reflecting a shorter elapsed time than the FAA standards.

Delayed Flights/Reduced Fares: Requires the Secretary to establish a standard definition of "Delayed Flight" and the specific causes of delays, a uniform designation symbol to identify flights provided by aircraft with 30 or fewer passenger seats, and system-wide standards to control the size and amount of carry-on baggage; requires that air carriers, when advertising a fare that does not apply to all seats on a flight, note the limited availability of seats and disclose the minimum percentage of seats available at the advertised price.

Frequent Flier Program: Prohibits carriers from changing the rules or requirements of a frequent flier program to the general detriment of the participants without reasonable notice, or from preventing a participant from using, within a reasonable period of time after the effective date of a change, credits accumulated under the old rules or requirements.

Bankrupt Airlines: Requires that a ticket holder of a bankrupt airline be provided transportation by another carrier on a stand-by basis at the regular coach fare with the price offset by the passenger's original ticket.

Consumer Hotline: Requires the Secretary to establish a 24-hour toll-free consumer hotline to provide information on air carrier performance and responsibilities and consumer rights, and to assist in resolving consumer/air carrier disputes.

Advisory Committee on Air Traffic Control System: Directs the Secretary to establish an Advisory Committee to report by December 31, 1988, its recommendations on the traffic levels which the air traffic control system is capable of handling safely and dependably for each of five years beginning January 1, 1989, the speed with which the system's capacity can be safely increased, and any additional resources which should be made available to assure maximum safety and system capacity.

AIR PASSENGER PROTECTION—Continued

Alcohol/Drug Testing: Requires, within 12 months of enactment, a program for air carriers to conduct mandatory pre-employment, periodically recurring, random, reasonable suspicion and post-accident testing of airmen, crew members, airport security screening personnel, and other safety-sensitive air employees for alcohol or any controlled substance; provides that employees who test positive shall not be permitted to retain their current position and shall be given one chance for rehabilitation; gives the Secretary discretionary authority to disqualify or rehabilitate individuals who test positive in other instances; requires similar programs for all railroad employees responsible for safety-sensitive functions and for commercial motor vehicle operators; and directs the Secretary, within 15 months of enactment, to implement a pilot test program in four States that volunteer to participate to conduct random testing of commercial motor vehicle operators.

Bill passed. Yeas 88 (51D-37R), Nays 5 (5R), Not Voting 7 (3D-4R). October 30, 1987. -------

FHA EXTENSION (S.J. Res. 209)

VOTE NO. 362

Cranston motion to table the Armstrong-Shelby-Wilson amendment which provides for a permanent extension of FHA mortgage insurance programs.

NOTE: This provision is also included in the conference report on the Housing Authorization, S. 825. Subsequently, the resolution was passed by voice vote.

Motion to table agreed to. Yeas 64 (48D-16R), Nays 28 (2D-26R), Not Voting 8 (4D-4R). October 30, 1987. -------

Became Public Law 100-154.

INDEPENDENT COUNSEL REAUTHORIZATION (H.R. 2939)

VOTE NO. 363

Hatch amendment which extends the current independent counsel statute until December 31, 1989, instead of providing a five-year authorization with several major modifications, as reported.

Amendment rejected. Yeas 23 (2D-21R), Nays 72 (49D-23R), Not Voting 5 (3D-2R). November 3, 1987. -------

VOTE NO. 364

Cohen motion to table the Armstrong, et al., amendment which makes the independent counsel statute applicable to Members of Congress, thereby removing the Attorney General's authority under current law to prosecute Members.

Motion to table agreed to. Yeas 49 (39D-10R), Nays 46 (12D-34R), Not Voting 5 (3D-2R). November 3, 1987. -------

VOTE NO. 365

Passage of the bill which reauthorizes for five years the independent counsel statute under Title VI of the Ethics in Government Act of 1978.

Clarifies that the Attorney General is to proceed under the statute upon receiving information that a person covered by the Act "may have violated" Federal criminal law; requires the Attorney General to file an explanatory report with the court if he/she fails to decide whether to initiate a preliminary investigation within 90 days of receiving the information, applicable only if the Department of Justice (DOJ) conducts a threshold inquiry for more than 30 days; codifies case law by explicitly limiting the Federal court's authority to overrule an Attorney General's decision not to conduct a preliminary investigation; requires the Attorney General, prior to the 90-day deadline, to notify the special court of a decision not to seek an independent counsel; and specifies that Congress has the authority to petition the Attorney General to initiate a preliminary investigation as well as to request an independent counsel's appointment.

Clarifies that this Act applies to campaign officials on the national level only, and that independent counsel proceedings may be initiated for other persons whose investigation by DOJ might result in a conflict of interest.

Prohibits the Attorney General from refusing to conduct a preliminary investigation or to apply for an independent counsel's appointment based solely on the subject's state of mind unless there is "clear and convincing evidence" that the subject "lacked the state of mind" required to prove a criminal violation.

Requires the Attorney General to consider recusal in every independent counsel case; requires recusal whenever information received "involves" the Attorney General or person(s) with whom he/she has a current or recent personal or financial relationship; requires that the recusal decision be in writing and specify the facts and reasons that were considered in reaching the decision.

Requires the Attorney General to supply certain congressional committees with basic information about cases which have become public, including whether proceedings are taking place under this Act and whether a decision has been reached not to initiate a preliminary investigation in a particular matter.

Directs the special court to appoint independent counsels who have "appropriate prosecutorial experience" and will conduct their activities in "a prompt, responsible, and cost-effective manner"; deletes the prohibition on the selection of persons who recently held Federal office; prohibits the special court from modifying the Attorney General's decision not to appoint an independent counsel or to investigate matters as requested by a sitting independent counsel, but provides that the Court may remand the matter to the Attorney General for further explanation.

Requires independent counsels to comply with established DOJ criminal law enforcement policies; permits independent counsels to refer possible violations of Federal ethical standards to the Office of Government Ethics, or any appropriate Federal agency or office; requires that an independent counsel report to the special court within 30 days of appointment and every 60 days thereafter, as well as file a final report.

Prohibits the special court from granting an independent counsel's request for expanded jurisdiction without the Attorney General's approval; requires independent counsels to present all such requests to the Attorney General, who must investigate the new matter, for up to 30 days, after which he/she must decide to (1) grant the request and refer the matter to the existing independent counsel, (2) request the appointment of a new independent counsel, or (3) close the matter; permits a majority of the Judiciary Committee's majority or minority party members to request that the Attorney General apply to the court to expand an independent counsel's investigation.

Specifies that any person may file a motion to view special court filings and that special consideration should be given to document requests from congressional committees with jurisdiction over the independent counsel process; grants DOJ access to non-grand jury materials requested for ongoing law enforcement activities.

Establishes Federal standards of conduct for independent counsels and their staffs.

Clarifies that an independent counsel cannot be removed for failure to follow a Presidential order which would compromise the independence of proceedings under the act.

Makes the act effective upon enactment and explicitly states that, if a court finds any portion of the statute invalid, the remainder of the statute stays in effect.

NOTE: See Vote No. 386 on the conference report.

Bill passed. Yeas 85 (51D-34R), Nays 10 (10R), Not Voting 5 (3D-2R). November 3, 1987.

SEMICONDUCTOR CHIP PROTECTION EXTENSION (S. 442)

VOTE NO. 366

Leahy motion to concur in the House amendments to the bill which extends from November 8, 1987, until July 1, 1991, the authority of the Secretary of Commerce to issue interim orders providing protection in the U.S. to semiconductor chip designs first commercially exploited outside the U.S.; requires the Secretary of Commerce, in consultation with the Register of Copyrights, to report to Congress by July, 1990, on the status of international laws protecting semiconductor chips; and codifies the President's authority to suspend, revise, or revoke proclamations issued pursuant to the Semiconductor Chip Protection Act of 1984.

Motion agreed to. Yeas 96 (52D-44R), Nays 0, Not Voting 4 (2D-2R). November 4, 1987.

Became Public Law 100-159.

Voted

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700)

VOTE NO. 367

Johnston motion to table the Adams-Reid amendment (to the first Committee amendment) which adds the texts of the remaining Committee amendments except for the amendment incorporating the text of the Nuclear Waste Policy Act Amendments of 1987 (S. 1668), as reported to the Senate on September 1, 1987.

Motion to table agreed to. Yeas 55 (21D–34R), Nays 30 (24D–6R), Not Voting 15 (9D–6R). November 4, 1987. -------

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MARINE POLLUTION CONVENTION—ANNEX V (TREATY DOC. NO. 100-3)

VOTE NO. 368

Adoption of the resolution of ratification, as amended, of Annex V of the MARPOL Convention (International Convention on the Prevention of Marine Pollution) which prohibits disposal into the sea of all plastics, including synthetic ropes and fishing nets; requires disposal of other nonplastic garbage beyond 25 miles and of food wastes, paper products, rags, glass, metal, and crockery beyond 12 miles; prohibits garbage disposal from fixed platforms; and contains an understanding that the U.S. government shall make every reasonable effort to have the Gulf of Mexico designated a special garbage free area.

NOTE: Annex V will enter into force 12 months after the date on which not less than 15 States, the combined fleets of which constitute not less than 50 percent of the gross tonnage of the world's merchant shipping, have become parties to it.

Resolution of ratification agreed to. Yeas 93 (48D–45R), Nays 0, Not Voting 7 (6D–1R). November 5, 1987. -------

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IRAN/CONTRA COMMITTTEE REPORT (H. Con. Res. 195)

VOTE NO. 369

Inouye motion to table the Helms amendment stating the sense of the Congress that it is not in the U.S.' national security interest to indict or otherwise prosecute or try any individual (Lt. Col. Oliver North) who appeared before the Select Committees investigating the Iran arms sales and the Contra fund diversions for any activity related to the subject matter before those Committees unless such activities resulted in their clear personal and illegal financial gain or their perjury.

Motion to table agreed to. Yeas 91 (51D–40R), Nays 4 (4R), Not Voting 5 (3D–2R). November 5, 1987. -------

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RAILROAD SAFETY AUTHORIZATION (S. 1539)

VOTE NO. 370

Passage of the bill which reauthorizes the Federal rail safety program at $40.6 million in FY 1988 and at $41.9 million in 1989.

Authorizes the Federal Railroad Administration (FRA) to sanction and penalize individuals for violations of Federal safety laws; increases the current maximum civil penalty to $10,000 per day per violation.

Requires the FRA to conduct a rulemaking and implement a program within 18 months to ensure proper training and qualifications of individuals who operate trains.

Provides access to the National Driver Register for railroad employers, prospective employers, and the FRA, but prohibits carriers from sanctioning an employee because of information contained in the Registry where the employee has successfully completed a rehabilitation program subsequent to the revocation or suspension of his/her drivers license.

Expedites consideration of grievance claims and authorizes supplemental damages, including punitive damages, of not to exceed $10,000 for harassment of an employee for reporting safety violations.

Makes certain safety-related improvements on Amtrak eligible for funding under the Northeast Corridor Improvement Project.

Specifies FRA's jurisdiction over the safety of high-speed rail systems.

Specifies that FRA's subpoenas and orders are enforceable in Federal courts.

Requires the FRA to study and report to Congress on a proposal to assess user fees to cover the costs of the Federal rail safety and railroad noise control programs.

Directs the Secretary of Transportation to require the engineer or whoever performs the inspection of automatic train stop, train control, or cab signal apparatus to certify in writing that the test was properly performed and that the equipment is functioning; requires the use of automatic train control on trains in the Northest Corridor by December 31, 1990; requires the installation and use of event recorders on freight trains within one year of enactment; establishes a Committee to determine ways to improve safety in the Northeast Corridor; requires the Secretary to work with corridor users to reduce through freight traffic on passenger lines.

Provides for the initiation of safety measures and other programs at rail grade crossings near densely populated college campuses.

Requires the FRA to issue standards for the protection of maintenance-of-way workers.

Bill passed. Yeas 93 (49D-44R), Nays 0, Not Voting 7 (5D-2R). November 5, 1987. -------

TUNA TREATY (TREATY DOC. NO. 100-5)

VOTE NO. 371

Adoption of the resolution of ratification of the Fisheries Treaty with Certain Pacific Island States which establishes a mechanism under which regional fishing licenses will be provided to the U.S. tuna industry.

NOTE: The Treaty will enter into force for any State ratifying or acceding on the 30th day following the date on which its instrument of ratification or accession is received by the depositary.

Resolution of ratification agreed to. Yeas 89 (49D-40R), Nays 0, Not Voting 11 (5D-6R). November 6, 1987. -------

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700)

VOTE NO. 372

Johnston, et al., motion to close further debate on the Johnston modified perfecting amendment (to the first Committee amendment) which consolidates all Committee amendments; requires a study to evaluate the need for a monitored retrievable storage facility as part of a national nuclear waste management system; provides protection for property owners in Texas whose property may be acquired by the Department of Energy; requires the National Academy of Sciences to create an oversight board to evaluate DOE activities; requires the EPA to promulgate revised standards for the disposal of radioactive waste by January 1, 1990; terminates funding for research on granite as a possible medium for a nuclear waste repository; requires DOE, upon determining that crystalline rock sites are suitable for characterization, to consider disqualifying factors such as seasonal increases in population and proximity of drinking water; and requires additional surface-based testing at the two candidate repository sites that are not selected for characterization on January 1, 1988.

Cloture motion agreed to. Yeas 87 (47D-40R), Nays 0, Not Voting 13 (7D-6R). November 10, 1987. -------

OLDER AMERICANS (H.R. 1451)

VOTE NO. 373

Adoption of the conference report on the bill which authorizes $6.5 billion in FY 1988-91 for the Older Americans Act programs and authorizes such sums as necessary for programs under the Native American Program Act.

Federal Council and Administration on Aging: Authorizes $897,000 in FY 1988-91 for the Federal Council on Aging and requires that the majority of its members be older Americans; requires the Commissioner on Aging to annually publish and disseminate goals to State and area agencies; creates an Office for American Indian, Alaskan Native, and Hawaiian Native Programs within the Administration on Aging to be headed by an Associate Commissioner responsible for programs operated under title VI for Native Americans and for chairing the inter-

OLDER AMERICANS—Continued

agency task force related to older Indians; elevates the status of the Commissioner on Aging to report directly to the Secretary.

Title III Supportive Services and Other Activities: Authorizes $4.4 billion in FY 1988-91 for the Title III programs which include supportive services, nutrition services, and surplus commodities programs; increases the percentage of Title III funding that may be used by area agencies on aging for administrative expenses from 8.5 to 10 percent; expands the area plan requirements to include coordination of certain programs with local services for elderly Alzheimer's disease victims.

Authorizes $20 million in FY 1988 and such sums as necessary in 1989-91 for ombudsman programs and strengthens the program requirements at the State level. Requires that area and State plans document the minority population within service areas and how their needs were met in the previous fiscal year; provides further direction in targeting services to those in greatest need; requires area agencies to consider the number of older Native Americans with low incomes in planning and conducting outreach activities and places increased emphasis on minority elderly, especially Indians, in Title IV research and training programs; establishes an interagency task force to identify ways to facilitate and improve services to older Indians.

Modifies the provisions for a reduction in a States's allotment by the percentage decline in State expenditures to reflect the average change over the previous three years; requires State agencies to establish a minimum percentage of Part B funds which each agency must spend on access, legal, and in-home services; authorizes $25 million for new programs for nonmedical in-home services for frail older individuals, $5 million for preventive health screening, and health education and promotion services, $25 million for State programs to meet special needs, and $5 million for programs to prevent abuse of older individuals.

Demonstration Grants: Authorizes $10 million annually in FY 1988-90 for demonstration grants to State and area agencies on aging to provide outreach and application assistance for SSI, Medicaid, and Food Stamps to elderly individuals who are eligible for, but not receiving this assistance; authorizes $1 million in FY 1989 for demonstration grants to States for cooperative projects between State long-term care ombudsman programs and State protection and advocacy systems; authorizes grants to demonstrate effective methods for assuring that home care services provided under the Act are of high quality; authorizes $142 million in FY 1988-91 for Title IV training, research and discretionary projects; requires the Commissioner to fund the establishment or support the development of comprehensive systems for long-term care.

Community Service Employment: Authorizes $1.7 billion in FY 1988-91 for Title V Community Service Employment; freezes the cap on administrative costs for employment projects at 13.5 percent and establishes specific criteria to be used for waiving the cap; excludes Title V wages from consideration as income in determining eligibility for Federally subsidized housing and Food Stamps; requires the Labor Department to provide Title V contractors with information about age discrimination to be distributed to program participants.

Elderly Americans CPI: Requires the Secretary of Labor to develop a consumer price index which reflects the impact of inflation on elderly Americans.

Home-Health Care Services: Amends the Public Health Service Act to authorize a two-part, three-year matching demonstration grant program to (1) expand home health care services for individuals who might otherwise require lengthy hospital stays or institutionalization, and (2) develop a range of innovative services for people with Alzheimer's disease as well as their family and care givers, and authorizes $5 million annually in FY 1988-90 for each part.

Food Assistance: Amends the National School Lunch Act to extend child care food assistance to adult day care centers.

Native American Programs: Makes Indians eligible for services under both Titles III and VI; creates a new Title VI Part B program for grants to public or non-profit organizations to provide services to Native Hawaiians; authorizes $70 million in FY 1988-91 with specific earmarks for both Parts A and B and an appropriations trigger for the Part B program.

White House Conference on Aging: Authorizes a White House Conference on Aging in 1991.

Alzheimer's Research: Authorizes $2 million in FY 1988 for the Director of the National Institute on Aging to conduct clinical trials on the use of promising therapeutic agents in treating Alzheimer's Disease.

Conference report agreed to. Yeas 93 (50D–43R), Nays 0, Not Voting 7 (4D–3R). November 12, 1987.

Became Public Law 100–175.

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700)

VOTE NO. 374

Excepted Committee amendments, en bloc, which reduce the President's budget request for the Nuclear Waste Program by $140 million and incorporate the provisions of S. 1668, as reported by the Energy Committee, which directs the Secretary of Energy to select by January 1, 1989, one of the three candidate nuclear waste repository sites now under consideration for "detailed site characterization work" and halt work on the other sites unless the one chosen proves unacceptable; suspends further site–specific work on a second repository in the eastern U.S. as required by the Nuclear Waste Policy Act of 1982; retains the 70,000 metric ton limit on the nuclear waste volume that may be placed in the first repository; requires a report by the year 2010 as to whether a second repository is needed; authorizes the construction of a monitored retrievable storage facility (MRS) and directs the Secretary to reconsider where it should be located; and authorizes benefit payments to host States of up to $100 million annually for a repository and $50 million annually for an MRS facility to be paid during the life of the facility.

Amendments agreed to, en bloc. Yeas 63 (26D–37R), Nays 30 (24D–6R), Not Voting 6 (3D–3R), Live Pairs 1 (1D). November 12, 1987.

VOTE NO. 375

Reid amendment which, notwithstanding any other provision of law or this Act, requires the Secretary of Energy, in selecting the preferred site for characterization as a permanent nuclear waste repository, to give primary consideration to potentially adverse impacts on the public health and safety of locating a repository at that site.

Amendment rejected. Yeas 37 (29D–8R), Nays 56 (21D–35R), Not Voting 7 (4D–3R). November 12, 1987.

HOUSING AND COMMUNITY DEVELOPMENT (S. 825)

VOTE NO. 376

Cranston motion to waive the Budget Act in order to allow the consideration of the conference report on the bill.

Note: The waiver was necessary because total Federal outlay ceilings, as provided for in the Budget Resolution, had been reached. Any bill or conference report that involves outlays could be subject to a point of order.

Motion rejected. Yeas 53 (45D–8R), Nays 40 (5D–35R), Not Voting 7 (4D–3R). November 13, 1987.

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700)

VOTE NO. 377

Shelby modified amendment which prohibits, until October 1, 1988, the expenditure of funds by the Departments of Energy or Justice to prosecute any action or enforce any judgment against an individual, as an officer of a corporation (Citronelle–Mobile Gathering, Inc.), determined guilty of oil price overcharging and jointly and severally liable with the corporation for the overcharge by the Temporary Emergency Court of Appeals on May 7, 1987; and limits the individual's liability to the actual dollar amount personally received by the individual from the violation and any interest assessed on the amount.

Amendment agreed to. Yeas 70 (35D–35R), Nays 13 (11D–2R), Not Voting 17 (8D–9R). November 13, 1987.

INTERNATIONAL WHEAT AGREEMENT (Treaty Doc. No. 100–1)

VOTE NO. 378

Adoption of the resolution of ratification of the International Wheat Agreement which consists of the Wheat Trade Convention, a consultative agreement designed to facilitate the ex-

INTERNATIONAL WHEAT AGREEMENT—Continued

change of information about the world grain market and to provide a forum for the discussion of grain trade issues, and the Food Aid Convention designed to achieve a target of at least 10 million metric tons of grain suitable for human consumption annually for developing countries.

NOTE: Both conventions will enter into force with respect to the U.S. following the deposition of instruments of ratification to both Conventions.

Resolution of ratification agreed to. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). November 17, 1987.

HOUSING AND COMMUNITY DEVELOPMENT (S. 825)

VOTE NO. 379

Byrd motion to reconsider Vote No. 376 by which the Senate failed to waive the Budget Act in order to allow the consideration of the conference report on the bill.

NOTE: The budget waiver was necessary because total Federal outlay ceilings, as provided for in the budget resolution, had been reached, and any bill or conference report that involves outlays would be subject to this point of order.

Motion to reconsider agreed to. Yeas 99 (54D–45R), Nays 1 (1R). November 17, 1987.

VOTE NO. 380

Reconsideration of Vote No. 376.

NOTE: Subsequent to the conference report having been ruled out of order, a House-Senate compromise amendment was agreed to in the Senate on December 21 and in the House on December 22.

Motion rejected. Yeas 57 (49D–8R), Nays 43 (5D–38R). November 17, 1987.

Became Public Law 100–242.

SENATE PROCEDURE

VOTE NO. 381

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 70 (44D–26R), Nays 19 (1D–18R), Not Voting 11 (9D–2R). November 18, 1987.

ENERGY-WATER APPROPRIATIONS, 1988 (H.R. 2700)

VOTE NO. 382

Breaux-Simpson motion to recommit the bill to the Appropriations Committee with instructions to report back forthwith with the Breaux-Simpson amendment which requires the Secretary of Energy to develop and conduct a surface-based testing plan at all three candidate nuclear waste sites (in Washington, Texas, and Nevada) examining whether or not "fatal flaws" are present at any site; waives the surface-based testing requirement if the testing time would extend beyond the January 1, 1991, selection date; requires the Secretary to prepare an environmental impact statement on the selected preferred site; requires any monitored retrievable storage (MRS) facility to have license conditions that link capacity and the acceptance date for fuel to the progress in the repository's construction; removes the 70,000 ton waste limit on the first nuclear waste repository; requires the Secretary to consider the proximity of surface water for any second repository that may be needed; removes the provision on additional MRS facilities co-located with defense production facilities; and prohibits the construction of an MRS facility if found to be unnecessary by the MRS Commission, unless the construction is authorized by Congress.

Motion to recommit rejected. Yeas 34 (27D–7R), Nays 61 (24D–37R), Not Voting 5 (3D–2R). November 18, 1987.

VOTE NO. 383

Passage of the bill which appropriates $15,919,912,000 in new budget authority for energy and water development for FY 1988.

Contains $4.2 billion for Federal water resources development programs; $7.7 billion for atomic energy defense activities of which $3.8 billion is for weapons activities and $1.8 billion for nuclear materials production.

Contains $2.06 billion for energy supply, research, development and demonstration programs; $824.5 million for general science and research activities in life sciences, high energy physics, and nuclear physics; $360 million for DOE's Nuclear Waste Fund; and $425.2 million for various regulatory and independent agencies including the Appalachian Regional Commission, Nuclear Regulatory Commission, and the Delaware, Potomac, and Susquehanna River Basins Commissions.

Limits resources for DOE's SDI research to assure that the appropriate balance and priority of nuclear deterrence are addressed; prohibits restart of the N-Reactor at the Hanford Reservation, Washington.

Prohibits use of funds by the executive branch to study or select proposals to transfer facilities and functions of uranium supply and enrichment programs from Federal control unless specifically authorized by Congress.

Directs the Secretary of Energy to select by January 1, 1989, one of the three candidate nuclear waste repository sites now under consideration for "detailed site characterization work" and halt work on the other sites unless the one chosen proves unacceptable; suspends further site-specific work on a second repository in the eastern U.S. and requires a report by the year 2010 as to whether a second repository is needed; retains the 70,000 metric ton limit on the nuclear waste volume that may be placed in the first repository; authorizes construction of a monitored retrievable storage facility (MRS) and directs the Secretary to reconsider where it should be located; and authorizes benefit payments to host States to be paid during the life of the facility.

Requires the Secretary to phase out funding for all existing research programs designed to evaluate the suitability of crystalline rock as a potential repository for nuclear waste and to enter into a contract with the National Academy of Sciences to establish an oversight board to review and evaluate the scientific and technical adequacy of crystalline rock repositories.

Provides for a study of reprocessing of spent fuel as a source of new fuel for light water reactors and disposal of the resultant nuclear wastes, and the direct disposal of spent fuel.

Authorizes funds to upgrade transportation facilities in the State affected by the siting of a nuclear waste repository.

Directs the Secretary to report to Congress on the amount of funds necessary annually over the next five years to conduct a detailed research program on the subseabed disposal of nuclear wastes, identify and assess potential impacts of subseabed disposal on human health and the marine environment, and develop preliminary designs for a subseabed disposal system; establishes an Office of Subseabed Disposal Research, responsible for carrying out R&D and demonstration activities on all aspects of subseabed disposal of high level radioactive waste and spent nuclear fuel.

Requires the Federal Energy Regulatory Commission to submit to the Committee, within three months of enactment, a report describing the policies followed in implementing its responsibilities under the National Environmental Policy Act.

Prohibits use of funds for Power Marketing Administrations or the TVA to pay procurement costs of extra high voltage power equipment not produced in the United States.

BUDGET AUTHORITY CONSIDERED

1987 Appropriations	$15,007,277,000
1988 Budget Estimate	17,662,797,000
Approved by House	16,149,498,000
Approved by Senate	15,919,912,000
Enacted	15,613,598,000

NOTE: Compromise provisions are contained in H.J. Res. 395, the Continuing Resolution.

Bill passed. Yeas 86 (46D-40R), Nays 9 (4D-5R), Not Voting 5 (4D-1R). November 18, 1987.

In Public Law 100-202.

DOD AUTHORIZATION (S. 1174)

VOTE NO. 384

Adoption of the conference report on the bill which authorizes a two-tier level of defense spending in FY 1988—a high tier to $296 billion and a low tier of $289 billion; contains an authorization of $144.1 billion for DOD in FY 1989 which would expire at the end of the 100th Congress if appropriations are not enacted.

MX/ICBM: Authorizes $864 million to procure 12 MX missiles for operational testing, and provides $1.5 billion ($700 mil-

DOD AUTHORIZATION—Continued

lion at the low tier) for continued development of the small ICBM and $300 million ($100 million at the low tier) for continued research on the proposed rail-garrison basing concept for the MX.

Strategic Defense Initiative (SDI): Authorizes $3.9 billion for SDI of which $3.6 billion is for DOD and $279 million is for DOE; prohibits the award of R&D contracts in connection with the SDI program to foreign countries or firms, except for R&D which the Secretary of Defense certifies cannot be competently performed in the U.S., and any contract awarded to a foreign government or firm which agrees to fund a substantial portion of the total contract cost; requires human action as part of SDI C3 architecture; requires the President to submit a classified and unclassified report on the effect of no ABM Treaty limitations on the SDI programs; consolidates reporting requirements relating to the SDI program; sets forth conditions for the authorization of the establishment of a Federally-funded R&D center to support the SDI program; prohibits, for two-years, expenditure of funds to test or develop mobile/space-based ABM's inconsistent with the testing and development described in the April 1987 SDIO report to Congress; prohibits deployment of any anti-ballistic system unless specifically authorized by law.

Space Defense Systems—Anti-Satellite (ASAT): Authorizes $200 million for the space defense program ($175 million at the low tier) of which $150 million (at both levels) is for the F-15 MHV programs; includes $46.6 million for the EMRLD (excimer, moderate power, Raman-shifted, laser device) program; continues the prohibition on MHV ASAT testing against objects in space until the President certifies to Congress that the Soviet Union has conducted such a test.

Chemical Weapons: Authorizes $125.1 million for the chemical demilitarization program.

Advanced Cruise Missile/Stealth: Reduces the full budget request (classified) for the advanced technology bomber (Stealth), and reduces the budget request (classified) for advanced Cruise missile procurement by $510.7 million.

B-1B: Authorizes $375.7 million for R&D in connection with the B-1 bomber with funds restricted to continuing the B-1 test program and procurement of spare parts for those parts of the aircraft that are not experiencing problems.

Nimitz-class Aircraft Carrier/Trident: Authorizes $644 million for advanced procurement of nuclear components for the first of two Nimitz-class nuclear powered aircraft carriers, and $797 million in FY 1989 for advance procurement; authorizes $1.9 billion for procurement and $1.1 billion in R&D for the Trident II missile program and provides $1.3 billion for the Trident submarine program.

Nicaragua: Reaffirms the language contained in the FY 1986 DOD Authorization Act expressing the sense of the Congress that U.S. armed forces should not be introduced into or over Nicaragua for combat and states that this provision should not be construed as affecting the authority and responsibility of the President or the Congress under the Constitution, statutes, or treaties.

U.S.-Soviet Arms Reduction Negotiations/ABM Treaty Compliance: States Congressional support for the President's efforts to negotiate equitable and verifiable arms reduction treaties with the Soviet Union; endorses the principle of mutuality and reciprocity in arms control negotiations with the Soviets and cautions that neither the Congress nor the President should take actions which are unilateral concessions to the Soviets; urges the President to insure that no provisions are agreed to that are harmful to the U.S. or its allies; and expresses the sense of the Congress that the Soviet Union is in violation of its legal obligation under the 1972 ABM Treaty.

Threshold Test Ban Treaty (TTBT) Reports: Directs the President to submit a report, within 30 days of enactment, discussing the current official U.S. method of estimating the yield of Soviet underground nuclear tests and the results of applying that method to past U.S. assessments of Soviet compliance with the 1974 TTBT, and directs the Secretary of Defense to submit a report on competitive strategies, in classified and unclassified versions, by January 15, 1988.

NATO: Requires the Secretary of Defense to report on NATO's ability to maintain its strategy of deterrence against, and flexible response in, a post Intermediate Range Nuclear Treaty environment.

United Nations: Prohibits obligation of 50 percent of the U.S. assessed contributions to the U.N., until the President certifies to Congress that significant progress has been made in eliminating the use of "secondment" by member states.

Persian Gulf: Directs the Secretaries of Defense and Energy to develop contingency plans to deal with conditions created by significant disruptions in the production and transportation of crude oil from Persian Gulf nations.

Panama Military Assistance: Suspends shipments of military equipment and spare parts to Panama unless Panama has fulfilled several specified conditions, including the election of a nonmilitary transitional government and restoration of all constitutional guarantees, and states that the U.S. should assess whether imports of Panama sugars, syrups, or molasses should be prohibited.

Iranian Imports Ban: Prohibits the importation of all products into the U.S. from Iran; permits the President to delay the implementation of the prohibition for up to 180 days if he submits a report to Congress explaining his reasons for doing so and specifying how the national interest would be jeopardized by implementation; and provides that the prohibition would go into effect following this delay unless further extended by enactment of a joint resolution.

Pay Raise: Provides a three percent pay raise effective January 1, 1988, for all military personnel.

Religious Apparel: Permits members of the Armed Forces to wear an item of religious apparel while in uniform, if the item is worn as part of a religious observance of the member's faith and the respective Service Secretary determines that the item is neat and conservative and does not interfere with the performance of military duty.

Drug Testing: Authorizes a drug/alcohol dependency testing program prior to enlistment or reenlistment in the armed forces.

Conference report agreed to. Yeas 86 (47D-39R), Nays 9 (3D-6R), Not Voting 5 (4D-1R). November 19, 1987.

Became Public Law 100-180.

NOMINATION OF FRANK C. CARLUCCI TO BE SECRETARY OF DEFENSE

VOTE NO. 385

Confirmation of the nomination of Frank C. Carlucci, of Virginia, to be Secretary of Defense.

Nomination confirmed. Yeas 91 (50D-41R), Nays 1 (1R), Not Voting 8 (4D-4R). November 20, 1987.

INDEPENDENT COUNSEL REAUTHORIZATION (S. 1293)

VOTE NO. 386

Adoption of the conference report on the bill which reauthorizes for five years the independent counsel statute under Title VI of the Ethics in Government Act of 1978.

Clarifies that the Attorney General is to proceed under the statute upon receiving information that a person covered by the Act "may have violated" Federal criminal law; directs the Attorney General, in deciding whether to conduct a preliminary investigation, to consider only the specificity of the information received and the credibility of its source; limits to 15 days any threshold inquiries by the Attorney General; requires the Attorney General to notify the special court of the commencing date of a preliminary investigation (which may not exceed 90 days) and (within the 90-day deadline) of a decision not to seek an independent counsel.

Increases to three years, the Act's period of applicability; clarifies that it applies to campaign officials on the national level only; clarifies that independent counsel proceedings may be initiated for persons other than those specifically covered whose investigation by the Department of Justice (DOJ) might result in a conflict of interest.

Requires recusal by the Attorney General from a case in which he/she is personally participating whenever information received under the Act "involves" the Attorney General or person(s) with whom he/she has a current or recent personal or financial relationship; requires that the recusal determination be in writing and specify the facts and reasons that were considered in reaching the decision.

Prohibits the Attorney General from closing a case prior to a preliminary investigation based upon a subject's state of mind, and allows the case to be closed after a preliminary investigation only if there is "clear and convincing evidence" that the subject lacked the state of mind required to prove a criminal violation.

Voted

INDEPENDENT COUNSEL REAUTHORIZATION—Continued

Requires DOJ to respond within 15 days to a Congressional inquiry on the status of cases being considered under the independent counsel statute.

Directs the special court to appoint independent counsels who have "appropriate experience" and will conduct their activities in "a prompt, responsible, and cost-effective manner"; deletes the prohibition on the selection of persons who recently held Federal office; specifies that a counsel's jurisdiction should include adequate authority to (1) fully investigate the subject matter of the case and all related matters, and (2) investigate and prosecute Federal crimes which may arise out of the investigation or prosecution.

Requires an independent counsel to file a status report with the special court every six months, as well as a final report.

Requires independent counsels to present any request for expanded jurisdiction to the Attorney General, who must investigate the new matter, for up to 30 days, after which he/she must notify the special court whether there are reasonable grounds to expand the jurisdiction or appoint another independent counsel.

Prohibits the special court from modifying the Attorney General's decision not to appoint an independent counsel or to investigate matters as requested by a sitting independent counsel, but permits the special court to return the matter to the Attorney General for further explanation.

Explicitly states that nothing in the statute should be construed as authorizing DOJ or the special court to withhold information from Congress; grants DOJ access to non-grand jury materials requested for ongoing law enforcement activities.

Establishes Federal standards of conduct for independent counsels and their staffs, and requires compliance within 90 days of enactment; explicitly states that independent counsels are separate from the DOJ for purposes of Federal criminal conflict of interest provisions.

Requires the Comptroller General to audit the expenditures of every independent counsel office.

Permits judicial review by the U.S. District Court for the District of Columbia of an independent counsel's removal from office and prohibits any member of the special court from participating in the review.

Makes the Act's provisions applicable to independent counsel proceedings initiated subsequent to enactment.

Conference report agreed to. Yeas 85 (50D–35R), Nays 7 (7R), Not Voting 8 (4D–4R). November 20, 1987. -------

Became Public Law 100–191.

NOMINATION OF JAMES H. BURNLEY IV TO BE SECRETARY OF TRANSPORTATION

VOTE NO. 387

Confirmation of the nomination of James H. Burnley IV, of North Carolina, to be the Secretary of Transportation.

Nomination confirmed. Yeas 74 (38D–36R), Nays 0, Not Voting 26 (16D–10R). November 30, 1987. -------

SENATE PROCEDURE

VOTE NO. 388

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 73 (48D–25R), Nays 16 (16R), Not Voting 11 (6D–5R). December 1, 1987. -------

ELEMENTARY AND SECONDARY EDUCATION AUTHORIZATION (H.R. 5)

VOTE NO. 389

Helms perfecting amendment (to the Symms modified amendment) which expands current law to prohibit any person (not just minors under age 18 or nonconsenting adults) from having access to a "dial-a-porn" operation; eliminates the defense to prosecution that access to the prohibited communication was restricted to persons 18 years of age or older in accordance with

Voted

the FCC regulations; and retains the current penalty of up to a $50,000 fine and/or six months in jail for violations.

Amendment agreed to. Yeas 98 (53D–45R), Nays 0, Not Voting 2 (1D–1R). December 1, 1987. -------

VOTE NO. 390

Passage of the bill which authorizes through FY 1993 the following Federal elementary and secondary education programs that expire in FY 1987, 1988, or 1989: Chapter 1 of the Education Consolidation and Improvement Act (ECIA), compensatory education for disadvantaged children (formerly Title I of the Elementary and Secondary Education Act), Chapter 2 of ECIA, elementary and secondary education block grants to States, the Magnet Schools Assistance Program, the Impact Aid Program, the Adult Education Act, the Education for Economic Security Act, the Bilingual Education Act, Indian and native Hawaiians education programs, the Women's Educational Equity Act, and the Allen J. Ellender Fellowship Program, and the territorial assistance programs for the Virgin Islands; targets additional Chapter 1 funds to the pre-school and secondary school levels; creates new programs to address the needs of at-risk students, national priorities, and program quality and innovation; and prohibits "dial-a-porn" operations.

Bill passed. Yeas 97 (52D–45R), Nays 1 (1R), Not Voting 2 (2D). December 1, 1987. -------

SENATE PROCEDURE

VOTE NO. 391

Bentsen motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 76 (51D–25R), Nays 21 (1D–20R), Not Voting 3 (2D–1R). December 2, 1987. -------

FHA PERMANENT EXTENSION (H.J. Res. 404)

VOTE NO. 392

Dixon motion to table the Armstrong-Gramm amendment which provides for a permanent extension of FHA mortgage insurance programs, thereby delaying the temporary extension.

NOTE: A permanent extension is contained in the Housing Authorization, S. 825. H.J. Res. 404 was subsequently passed by voice vote.

Became Public Lsaw 100-179.

Motion to table agreed to. Yeas 59 (49D–10R), Nays 37 (2D–35R), Not Voting 4 (3D–1R). December 2, 1987. -------

FARM CREDIT (H.R. 3030)

VOTE NO. 393

Melcher motion to table the Inouye-Evans-McCain amendment which strikes the language in the bill that authorizes a State, county, or municipality to levy and collect taxes on real property taken into trust by the U.S. for the benefit of an Indian or Indian tribe.

Motion to table agreed to. Yeas 48 (19D–29R), Nays 42 (29D–13R), Not Voting 10 (6D–4R). December 2, 1987. -------

SENATE PROCEDURE

VOTE NO. 394

Byrd motion to instruct the Sergeant at Arms to request the attendance of absent Senators.

Motion for attendance agreed to. Yeas 75 (49D–26R), Nays 19 (1D–18R), Not Voting 6 (4D–2R). December 3, 1987. -------

VETERANS' BENEFITS AND SERVICES (H.R. 2616)

VOTE NO. 395

Cranston motion to table the DeConcini, et al., amendment which strikes section 333 that prohibits the Veterans' Administration from conducting mandatory random drug testing of VA employees for the use of illegal drugs as required under Executive Order No. 12564 and permits testing in three specific circumstances: when there is a reasonable suspicion that an employee uses illegal drugs, in an examination authorized by the VA regarding an accident or unsafe practice, or as part of counseling or rehabilitation for illegal drug use through an employee assistance program.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 29 (20D-9R), Nays 67 (31D-36R), Not Voting 4 (3D-1R). December 3, 1987.

VOTE NO. 396

Cranston motion to table the Helms amendment which requires the Veterans' Administration to promulgate regulations under which it must offer to test each of the following categories of inpatients for infection with the AIDS virus: all veterans under age 40, intravenous drug abuse patients, patients receiving care for a disease associated with AIDS, and patients who are otherwise at high risk of infection with the AIDS virus; prohibits testing to be conducted without the prior informed and written consent of the patient; and requires pre- and post-test counseling on AIDS.

NOTE: Subsequently, the amendment was agreed to by voice vote.

Motion to table failed. Yeas 24 (20D-4R), Nays 68 (30D-38R), Not Voting 8 (4D-4R). December 3, 1987.

FARM CREDIT (H.R. 3030)

VOTE NO. 397

Passage of the bill which revises the Farm Credit System (FCS) which provides credit to farmers, ranchers, and farm cooperatives; replaces the FCS Capital Corporation with an FCS Assistance Board to authorize troubled FCS institutions to issue preferred stock for purchase by a newly created Financial Assistance Corporation (FAC); makes a troubled FCS institution eligible for aid when its stock is worth less than its par value and requires Board approval to issue preferred stock when its value drops to 75 percent of par unless the institution is to be liquidated; requires the FAC to establish a Corporation Assistance Fund with the sale proceeds of up to $4 billion in 15-year obligations, guaranteed by the Treasury and a Corporation Trust Fund consisting of Treasury securities purchased by the FAC with funds received from a one-time mandatory purchase of FAC stock by each FCS institution; requires that FCS banks and associations receiving assistance establish a policy for restructuring delinquent loans when it would be less costly than foreclosures; requires the FCA to set up a Central Reserve Account in 1992 funded by annual assessments of FCS banks; requires the FCA to establish minimum capital adequacy standards for all FCS institutions which will have five years to comply; provides borrowers' rights to farmers; provides a Federal match of up to 50 percent for States which set up agricultural mediation programs, with an annual limit of $750,000 for any State; requires establishment of a program to modify delinquent FmHA loans to the maximum extent possible to avoid losses; creates a secondary market for agricultural and rural housing loans by placing qualified loans with agricultural mortgage marketing facilities for pooling.

NOTE: See Vote No. 415 on the conference report.

Bill passed. Yeas 87 (48D-39R), Nays 6 (2D-4R), Not Voting 7 (4D-3R). December 4, 1987.

HAITI ELECTION COLLAPSE (S. Res. 336)

VOTE NO. 398

Adoption of the resolution which condemns the Haitian government for the collapse of the November 29 elections; condemns the disbanding of the constitutionally-mandated Provisional Electoral Council; expresses support for suspension of all U.S. nonhumanitarian aid to Haiti and withdrawal of all U.S. military trainers personnel; and calls on all nations to cut off all assistance and arms sales to the government of Haiti while providing humanitarian aid to the people through nongovernmental organizations.

Resolution agreed to. Yeas 90 (47D–43R), Nays 0, Not Voting 10 (7D–3R). December 4, 1987.

VETERANS' BENEFITS AND SERVICES (H.R. 2616)

VOTE NO. 399

McClure motion to table the Thurmond amendment (taking with it the Metzenbaum-Thurmond-Kassebaum, et al., perfecting amendment) which together make it unlawful for any person to manufacture, import, sell, possess, or deliver any firearm which is not detectable as a firearm by the use of security detection systems and provide that the Secretary of the Treasury may ask Congress to remove this prohibition when technology has been improved sufficiently to detect these weapons.

Motion to table agreed to. Yeas 47 (12D–35R), Nays 42 (34D–8R), Not Voting 11 (8D–3R). December 4, 1987.

VOTE NO. 400

Passage of the bill which requires the VA Administrator to adjust by 4.2 percent, effective December 1, 1987, the rates and limitations for compensation paid to veterans with service-connected disabilities and dependency and indemnity compensation (DIC) paid to certain service-connected disabled veterans' survivors; increases the maximum amount of specially adapted housing assistance for certain service-connected disabled veterans with serious mobility impairments to $40,000, and for certain veterans suffering from service-connected total blindness or loss of use of both upper extremities to $6,775; increases the maximum amount of the automobile assistance allowance for veterans with certain service-connected disabilities to $5,530, and the burial allowance for veterans who die of service-connected causes to $2,250; provides a permanent exemption from Gramm-Rudman-Hollings sequestration for rehabilitation programs for service-connected disabled veterans and the educational assistance program for survivors and dependents; requires the VA to contract for a comprehensive scientific review of the human health effects of exposure to Agent Orange; extends the eligibility periods for GI Bill and certain other education or rehabilitation programs for certain eligible persons who have been prevented from participating because of drug or alcohol dependence or abuse disabilities; authorizes the Administrator periodically to adjust the amounts of the monthly installments payable to beneficiaries under specified insurance plans; provides benefit payments to veterans (or their survivors) who were exposed to radiation in connection with the atmospheric nuclear weapons testing program or the American occupation of Hiroshima or Nagasaki, Japan; extends through FY 1991 VA health-care eligibility for radiation and dioxin-exposed veterans; makes eligible for domiciliary care, certain veterans who need such care in order to receive treatment or rehabilitation; increases VA per diem payments for domiciliary care, nursing home, and hospital care; requires the VA to conduct a four-year pilot program to furnish health and health-related services in noninstitutional settings; requires implementation of a two-year mobile health clinic pilot program to furnish care in rural areas where veterans live at least 100 miles from the nearest VA health care facility; requires the VA to establish an education and training program to distribute pertinent information on AIDS to VA beneficiaries and employees and to offer to test certain inpatients for infection with the AIDS virus; authorizes the establishment of a tuition-reimbursement program and recruitment and retention bonuses to assist in recruiting and retaining qualified health care personnel; replaces the existing Veterans' Affairs Committee approval-resolutions process for VA major medical construction or acquisition projects with a legislative authorization process; requires the VA to develop and implement an agency-wide plan for the cost effective standardization of medical and pharmaceutical procurement; denies funds for VA projects that use the engineering, architectural, and construction services of any foreign country that does not provide access by these U.S. services to the markets of the foreign country; prohibits the transfer of plutonium by aircraft through U.S. air space unless the possible routes have been evaluated in accordance with applicable

Voted

VETERANS' BENEFITS AND SERVICES—Continued

U.S. laws and the shipment is transported in a container certified as safe by the Nuclear Regulatory Commission.

Bill passed. Yeas 88 (45D–43R), Nays 0, Not Voting 12 (9D–3R). December 4, 1987. -------

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BUDGET RECONCILIATION, 1987 (H.R. 3545)

VOTE NO. 401

Byrd motion to waive the Budget Act to allow the consideration of the Byrd-Dole, et al., amendment, the Kassebaum-Boren, et al., amendment thereto, and the Gramm perfecting amendment, and a motion to recommit with instructions to be offered by Senator Gramm and, upon the adoption of any one of them, for the provisions of the adopted amendment which are included in the conference report on H.R. 3545.

Motion agreed to. Yeas 81 (50D–31R), Nays 13 (1D–12R), Not Voting 6 (3D–3R). December 10, 1987. -------

VOTE NO. 402

Harkin motion to waive section 305(b) of the Budget Act to allow the consideration of the Harkin-Heinz, et al., perfecting amendment (to the Byrd-Dole, et al., amendment) which requires strict adherence to the $50,000 farm deficiency payment limitation per person, revises current law to preclude producers (whether as a corporation, joint partnership, passive investment, or entity with similar membership) from receiving more than the $50,000 limit, and prohibits foreign nationals and corporations that are not 90 percent owned by U.S. nationals from receiving U.S. farm program payments.

Motion rejected. Yeas 47 (22D–25R), Nays 49 (29D–20R), Not Voting 4 (3D–1R). December 10, 1987. -------

VOTE NO. 403

Pryor motion to table the Exon-Bradley-Sanford amendment (to the Byrd-Dole, et al., amendment) which strikes the Finance Committee provision to allow family corporations who must change from a cash accounting to an accrual accounting method to place tax deferrals in a suspense account and only count such deferrals as income if the Corporation loses its status as a family corporation or its business contracts; and raises from $25 million to $50 million the threshold beyond which a family corporation must switch to accrual accounting and pay back previous tax deferrals over a [illegible]-year period.

Motion to table agreed to. Yeas 53 (32D–21R), Nays 41 (17D–24R), Not Voting 6 (5D–1R). December 10, 1987. -------

VOTE NO. 404

Chiles motion to table the Gramm modified perfecting amendment (to the Byrd-Dole, et al., amendment) which reduces discretionary spending for defense by $700 million in budget authority and for non-defense items by $1.9 billion in BA in FY 1988, thereby freezing discretionary spending for both at 1987 levels.

Motion to table agreed to. Yeas 72 (50D–22R), Nays 24 (1D–23R), Not Voting 4 (3D–1R). December 10, 1987. -------

VOTE NO. 405

Chiles motion to table the Kassebaum-Boren, et al., amendment (as a substitute for the Byrd-Dole, et al., amendment) which cuts an additional $1.4 billion in defense outlays and an additional $2.1 billion in domestic outlays to freeze all defense and domestic discretionary spending in FY 1988; limits to two percent all COLA's (including social security, Federal civil service, military retirement, and veterans' and railroad retirement pensions), with the exception of SSI; freezes reimbursements to doctors and hospitals under Medicare in 1988; freezes all current tax rates for one year (except for the standard deduction and personal exemption); and makes the defense and domestic appropriations ceilings on BA and outlays binding for 1988 only, thereby saving $44 billion in FY 1988 and $43.5 billion in FY 1989 (compared to $33.7 billion and $46.2 billion, respectively, under the leadership amendment).

Motion to table agreed to. Yeas 71 (37D–34R), Nays 25 (14D–11R), Not Voting 4 (3D–1R). December 10, 1987. -------

Voted

VOTE NO. 406

Pressler motion to waive section 305(b) of the Budget Act to allow the consideration of the Pressler perfecting amendment (to the Byrd–Dole, et al., amendment) which exempts Guaranteed Student Loan Program guarantee agencies that are contractually required to maintain a minimum reserve level from the provision which requires all guarantee agencies to reduce their existing reserves unless a minimum level is required by State law.

Motion to waive Budget Act rejected. Yeas 23 (8D–15R), Nays 72 (42D–30R), Not Voting 5 (4D–1R). December 10, 1987. -------

VOTE NO. 407

Danforth amendment (to the Byrd–Dole, et al., amendment) to strike provisions of Title I (Commerce Committee provisions) which impose FCC fees on broadcast license transfers and impose Coast Guard user fees during FY 1988–90 (the Fairness Doctrine provision having already been stricken by the voice vote adoption of the Hollings amendment).

Amendment agreed to. Yeas 66 (26D–40R), Nays 28 (24D–4R), Not Voting 5 (4D–1R), Present 1 (1R). December 10, 1987.

NOMINATION OF ANN DORE McLAUGHLIN TO BE SECRETARY OF LABOR

VOTE NO. 408

Confirmation of the nomination of Ann Dore McLaughlin, of the District of Columbia, to be Secretary of Labor.

Nomination confirmed. Yeas 94 (49D–45R), Nays 0, Not Voting 6 (5D–1R). December 11, 1987. -------

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CONTINUING APPROPRIATIONS, 1988 (H.J. Res. 395)

VOTE NO. 409

Johnston technical amendment to change the effective date of the continuing resolution from November 20, 1987, to December 16, 1987, the expiration date of the short term Continuing Resolution.

Amendment agreed to. Yeas 93 (50D–43R), Nays 0, Not Voting 7 (4D–3R). December 11, 1987. -------

VOTE NO. 410

Rudman motion to table the Gramm, et al., amendment which earmarks $299.7 million of the $310 million appropriation for the Legal Services Corporation (LSC) solely for the direct delivery of dispute resolution for the poor; eliminates funding for all national and State resource centers to assist local legal services programs in aiding the poor; and allows only $10.3 million for management and administration costs of the LSC.

Motion to table agreed to. Yeas 70 (49D–21R), Nays 28 (4D–24R), Not Voting 2 (1D–1R). December 11, 1987. -------

VOTE NO. 411

Evans, et al., amendment which requires the separate presentation to the President of each title of any continuing appropriations measure reported by a conference committee and agreed to by both Houses in the same form during a two-year period (covering FY 1989 or 1990 appropriations) and prohibits consideration of any continuing appropriations measure covering a period greater than 30 days unless each title corresponds to a regular appropriations bill.

Amendment rejected. Yeas 44 (5D–39R), Nays 51 (46D–5R), Not Voting 5 (3D–2R). December 11, 1987. -------

VOTE NO. 412

Kerry modified perfecting amendment (to the Stevens amendment) which prohibits obligation of the $9 million of humanitarian assistance to the Contras (provided in the Stevens amendment) unless (1) a majority of the five Central American presidents who signed the Guatemala Peace Accord verify by letter to the President of the U.S. that such aid is consistent with the accord, or (2) a negotiated ceasefire is in place between the Nicaraguan government and the Contras.

NOTE: Subsequently, the Stevens modified amendment was agreed to on a division vote.

Amendment rejected. Yeas 38 (33D–5R), Nays 56 (16D–40R), Not Voting 6 (5D–1R). December 12, 1987. -------

CONTINUING APPROPRIATIONS, 1988—Continued

VOTE NO. 413

Dole motion to table the Harkin amendment which repeals the expedited procedures under which military aid requests for the Contras are considered by Congress.

Motion to table agreed to. Yeas 60 (16D-44R), Nays 33 (32D-1R), Not Voting 7 (6D-1R). December 12, 1987. -------

VOTE NO. 414

Passage of the joint resolution which makes continuing appropriations to remain available from December 16, 1987, through September 30, 1988, or enactment of the applicable appropriation bill, whichever occurs first, for all programs and activities funded under the 13 major appropriations bills as follows:

Commerce-Justice-State-Judiciary; District of Columbia, Energy-Water, HUD, Interior, Labor-HHS, Legislative, Military Contruction, Transportation, and Treasury-Postal Service at the Senate-passed level, as adjusted to reflect the budget summit agreement.

Agriculture, Defense, and Foreign Assistance at the Senate-reported level, as adjusted to reflect the budget summit agreement.

NOTE: See Vote No. 420 on the conference report for a table which, among other things, lists the Senate-passed appropriation level for each of the 13 appropriations bill.

Bill passed. Yeas 72 (43D-29R), Nays 21 (5D-16R), Not Voting 7 (6D-1R). December 12, 1987. -------

FARM CREDIT (H.R. 3030)

VOTE NO. 415

Adoption of the conference report on the bill which revises the Farm Credit System (FCS) which provides credit to farmers, ranchers, and farm cooperatives; replaces the FCS Capital Corporation with an FCS Assistance Board to authorize troubled FCS institutions to issue preferred stock for purchase by a newly created Financial Assistance Corporation (FAC); makes a troubled FCS institution eligible for aid when its stock is worth less than its par value or used to cover the institution's losses and requires Board approval when its value drops to 75 percent of par unless the institution is to be liquidated; sunsets the Assistance Board's authority on December 31, 1992; requires the FAC to establish a Corporation Assistance Fund with the sale proceeds of up to $4 billion in 15-year obligations, guaranteed by the Treasury and a Trust Fund consisting of Treasury securities purchased by the FAC with funds received from a one-time mandatory purchase of FAC stock by each FCS institution; requires that FCS banks and associations receiving assistance establish a policy for restructuring delinquent loans when it would be less costly than foreclosure and creates a National Special Asset Council to monitor compliance with the restructuring standards; requires all system institutions to participate in the newly established Farm Credit System Insurance Corporation; requires the FCA to establish minimum capital adequacy standards for all FCS institutions which will have five years to comply; provides borrowers' rights to farmers; requires banks and associations to use credit review committees to review denials of new loans and restructuring of distressed loans; requires that distressed loans be restructured if it would cost less than foreclosure; prohibits FCS institutions from requiring any borrower who is current on his/her loan to provide additional collateral; provides a Federal match of up to 50 percent for States which set up agricultural mediation programs, with an annual limit of $500,000 for any State; requires establishment of a program to modify delinquent FmHA loans to the maximum extent possible to avoid government losses whenever this would facilitate keeping a borrower on the land; creates a secondary market for agricultural and certain rural housing loans by placing qualified loans with agricultural mortgage marketing facilities for pooling.

Conference report agreed to. Yeas 85 (44D-41R), Nays 2 (1D-1R), Not Voting 13 (9D-4R). December 19, 1987. -------

Became Public Law 100-233.

AGRICULTURE COMMITTEE SUPPLEMENTAL (S. Res. 304)

VOTE NO. 416

Adoption of the resolution to authorize $130,443 for supplemental expenditures by the Agriculture Committee, thereby increasing the Committee's funding allocation for 1987 from $1,304,430 to $1,434,873.

Resolution agreed to. Yeas 52 (42D–10R), Nays 35 (2D–33R), Not Voting 13 (10D–3R). December 19, 1987. -------

COMMITTEE SUPPLEMENTALS (S. Res. 306, 311, 319, 321, 322, 325)

VOTE NO. 417

Adoption of the resolutions to authorize supplemental expenditures for 1987 by congressional committees as follows: Armed Services (S. Res. 306)—$279,307; Finance (S. Res. 311)—$235,000; Veterans' Affairs (S. Res. 319)—$41,500; Indian Affairs (S. Res. 321)—$300,000; Appropriations (S. Res. 322)—$135,000; and Rules and Administration (S. Res. 325)—$57,500; and to reimburse $5,000 to the Indian Affairs Committee for expenses carried over from FY 1986.

Resolutions agreed to, en bloc. Yeas 64 (39D–25R), Nays 22 (4D–18R), Not Voting 14 (11D–3R). December 19, 1987. -------

NOMINATION OF MARVIN T. RUNYON TO BE CHAIRMAN OF TVA

VOTE NO. 418

Confirmation of the nomination of Marvin T. Runyon, of Tennessee, to be Chairman of the Board of Directors of the Tennessee Valley Authority.

Nomination confirmed. Yeas 81 (39D–42R), Nays 5 (5D), Not Voting 14 (10D–4R). December 19, 1987. -------

BUDGET RECONCILIATION, 1988 (H.R. 3545)

VOTE NO. 419

Adoption of the conference report which implements the November 20 budget summit agreement between the President and the congressional leadership; provides for $23.8 billion in revenue increases over the next two years and $24.6 billion in entitlement and other savings; and establishes caps on discretionary spending in FY 1988 and 1989 which save $21.6 billion.

Agriculture and Related Programs: Provides for an additional reduction in the target prices for the 1988–89 crops of wheat, feed grains, upland cotton, and rice above those scheduled in current law; reduces support prices or expenditures for other nonprogram crops by an amount equal to the target price reductions; allows loan rates for the 1988 crops of wheat, feed grains, upland cotton, and rice to decline by three percent from the 1987 levels; reduces the paid land diversion payment rate for feed grains to $1.75 for 1988–89 and lowers the required paid diversion level from 15 to 10 percent; directs the Commodity Credit Corporation to reduce its expenditures for commercial storage, handling, and transportation by $230 million over 1988–89; limits the ability of farmers to avoid the statutory payment limitation; permits Rural Electrification Administration prepayments in 1988 of $2.0 billion.

National Economic Commission: Establishes a National Economic Commission to report by March 1, 1989, on methods to reduce the Federal budget deficit, promote economic growth, encourage savings and capital formation, and ensure that the goal of deficit reduction is reached in an equitable manner.

Education Programs: Requires agencies deemed to hold cash reserves in excess of the Secretary's determination to deduct default claim payments first from excess reserve funds.

Medicare, Medicaid, and Other Health-Related Programs: Increases DRG payments effective April 1, 1988, by 1.5 percent for hospitals in urban areas with populations over one million (three percent in 1989), and one percent for other urban hospitals (2.5 percent in 1989); increases payments for rural hospitals by three percent (3.5 percent in 1989), and by 2.7 percent for hospitals exempt from the prospective payment system (five percent in 1989); reduces indirect medical education payments to hospitals by 0.4 percent effective October 1, 1988; provides that Medi-

BUDGET RECONCILIATION, 1988—Continued

care capital payments would be paid at reasonable cost less 12 percent for the remainder of FY 1988 and less 15 percent for 1989; extends the moratorium on incorporating hospital capital into the prospective payment system to four years; eliminates the return on equity payments to proprietary hospital outpatient departments, and limits aggregate payments to all hospital outpatient departments for radiology services; extends the 2.3 percent reduction in Medicare payments under the current sequester through March 31, 1988, for hospital, physician, and other Part B services and until January 1, 1988, for other Part A providers; increases prevailing rates, effective April 1, 1988, by 3.6 percent for primary care services provided by participating physicians, by 3.1 percent for primary care services provided by non-participating physicians, by one percent for non-primary care services provided by participating physicians, and by 0.5 pecent for non-primary care services provided by non-participating physicians; reduces payments for certain surgical procedures; freezes payment rates for durable medical equipment for one year; rebases fee schedules for automated and high volume clinical laboratory tests to reflect a five percent reduction; lowers the overall cap on laboratory charges; extends the statutory provision requiring premium financing to cover 25 percent of Part B cost through 1989; reinstates co-payments for ambulatory surgery, effective April 1, 1988.

Energy and Environmental Programs: Authorizes NRC to collect an additional six percent of total costs beyond the cost recovery level established pursuant to the Continuing Resolution and sets a cost recovery floor of 45 percent; extends the authorization for the commencement date of the Oil Spill Liability Trust Fund and the tax on petroleum for one year; amends the Nuclear Waste Policy Act of 1982 and redirects the nuclear waste program by making major changes in the site characterization process for the permanent geologic repository; establishes a national minimum bid of $2 per acre on leases of Federal onshore lands for oil and gas exploration for two years; extends the authorization for the Land and Water Conservation Fund until 2015; sets entrance fee caps at national parks and provides higher fees for certain major parks; authorizes the sale of various Bureau of Reclamation loans; requires the Secretary to collect any underpayment plus interest owed by legal entities and individuals whose landholdings are more than 960 acres and who are receiving benefits of less than full cost water on these landholdings under Reclamation law.

Civil Service and Postal Service Programs: Defers approximately 60 percent of the Postal Service's planned FY 1988 capital investment projects; changes lump sum retirement payments for those retiring between January 1, 1988, and October 1, 1989.

Veterans' Programs: Requires the VA to increase the proportion of acquired foreclosure properties sold on a cash basis, rather than through a direct VA loan; repeals for two years the statutory provision requiring the sale of VA housing vendee loans with recourse; extends VA's one percent housing loan origination fee for two years.

Budget Policy and Fiscal Procedures: Sets forth levels of budget authority and outlays for FY 1988-89 for the major functional category 050 (National Defense) and for all discretionary spending in categories other than National Defense consistent with the summit agreements on deficit reduction; provides that in the Senate, these ceilings will be enforced through a three-fifths point of order that will lie against any FY 1989 budget resolution that is not consistent with the agreement and requires both the House and Senate Appropriations Committees to make their 302(b) subdivisions for 1989 consistent with these spending ceilings; rescinds the initial and final sequester orders upon the enactment of both the reconciliation bill and the FY 1988 Continuing Resolution.

Income Security: Increases the authorization for Title XX social services block grants by $50 million in 1988; increases the amount that SSI individuals and couples in Medicaid institutions are allowed to keep from their monthly SSI checks for personal needs; permanently extends the energy aid disregard; allows waiver of transfer of assets policy in hardship cases; increases the railroad retirement employer Tier II tax by 1.35 percent; increases the Federal AFDC match and strengthens penalties for fraud control activities; Continues child support enforcement services for families no longer receiving AFDC and requires services to all families receiving Medicaid; repeals the child support revolving fund; increases the Pension Benefits Guaranty Corporation participant premium from $8.50 to $14.00;

imposes a variable rate premium on underfunded pension programs and tightens rules on payment of minimum contributions; establishes a per-dose excise tax on the sale of commonly-prescribed vaccines to be deposited in a new Vaccine Injury Compensation Trust Fund; extends the FUTA surtax for three years.

Tax Provisions: Denies child and dependent care credit for overnight camp expenses and eliminates graduated tax rates for personal service corporations; expands the employer share of FICA tax to include all cash tips and to cover inactive reservists, certain agricultural employees, family members and group term life insurance includable in wages; extends the telephone excise tax for three years; sets a $1 million cap on the interest deduction for home mortgages and a $100,000 cap for home equity loans; drops special limits for boats and motor homes; repeals the special election for business vacation pay reserves; eliminates the cash method of accounting; subjects past service pension costs to uniform capitalization rules; treats certain publicly traded partnerships as corporations for Federal income tax purposes; redefines a tax-exempt organization's share of publicly traded partnership income as unrelated trade or business income and modifies certain partnership allocations; modifies computation of earnings and stock profits for purposes of intercorporate dividends and stock basis adjustments; reduces the intercorporate dividends received deduction and limits tax avoidance in certain corporate dispositions; denies a corporate deduction for interest costs incurred in hostile takeovers and limits NOL carryforwards of corporations following worthless stock deduction by shareholders; requires realization of LIFO recapture upon C corporation conversion to S corporation status; modifies the determination of interest rate on tax reserves of life insurance companies; extends the 1987 estate and gift tax rates for five year; restricts the availability of the estate tax deduction for stock sales to an ESOP; phases out the estate and gift tax graduated rates and the unified credit; shifts collection of nongasoline motor fuels from the retail to the wholesale level; extends the termination date for the coal excise tax rate; restricts the targeted jobs tax credit and tax-exempt bonds to finance the acquisition of output facilities; limits tax exempt bond activity by Native American tribal governments; contains legislative language committing Congress to achieving $3.5 billion in assets sales in FY 1989.

Conference report agreed to. Yeas 61 (43D–18R), Nays 28 (5D–23R), Not Voting 11 (6D–5R). December 22, 1987.

Became Public Law 100–203.

CONTINUING APPROPRIATIONS, 1988 (H.J. Res. 395)

VOTE NO. 420

Adoption of the conference report which makes further continuing appropriations to remain available from December 21, 1987 through September 30, 1988, for all programs and activities funded under the 13 major appropriations bills; sets forth a procedure under which the President may request additional aid for the Contras and contains expedited procedures for congressional consideration of the request; provides authority for a civilian and military pay raise of two percent effective January 1, 1988, and prohibits pay increases for Members of Congress, judges, and senior members of the executive branch and District of Columbia government.

NOTE: The conference report exceeds the savings called for in the budget summit agreement by $2.9 billion in BA and $0.1 billion in outlays; and provides defense spending of $291.4 billion in BA and $285.4 billion in outlays and non-defense domestic discretionary spending of $160.6 billion in BA and $176.7 billion in outlays. Because these spending reductions, together with the increased revenues and spending reductions contained in H.R. 3545, the Budget Reconciliation Act, meet the deficit reduction targets of the summit agreement, the sequestration orders issued by the President on October 20, 1987, and November 20, 1987, pursuant to section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 as amended, are rescinded.

Conference report agreed to. Yeas 59 (37D–22R), Nays 30 (11D–19R), Not Voting 11 (6D–5R). December 22, 1987.

Became Public Law 100–202.

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